

John Bater  
Prime Meridian Ltd  
Prime Meridian Ltd  
26A Ganton Street  
London  
W1F 7QZ

Application Ref: **2015/1081/P**  
Please ask for: **Jonathan McClue**  
Telephone: 020 7974 **4908**

2 March 2016

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:  
**224-228 Kentish Town Road**  
**London**  
**NW5 2AD**

Proposal: Change of use to first and second floors above shops (Class A1/A2) to 4 self-contained residential flats (1x1 bed; 2x2 bed; 1x3 bed) (Class C3) and creation of waste and cycle storage.

Drawing Nos: (417.11/)PLA01; PLA02 Rev A; PLA03 Rev A; PLA04 Rev A; PLA05; PLA06; PL20 Rev B; PL21 Rev A; PL22 Rev D; PL23 Rev A; Location Plan Scale 1:1250 and Design and Access Statement (Including a Sustainability Statement) dated June 2013.

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 (417.11/)PLA01; PLA02 Rev A; PLA03 Rev A; PLA04 Rev A; PLA05; PLA06; PL20 Rev B; PL21 Rev A; PL22 Rev D; PL23 Rev A; Location Plan Scale 1:1250 and Design and Access Statement (Including a Sustainability Statement) dated June 2013.

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 any of the new residential units.

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.

- 5 As per drawing no. 417.11/PL20 Rev B , 5 secure and covered cycle storage facilities for the proposed residential units shall be provided in their entirety prior to the first occupation of the development, 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 and table 6.3 of the London Plan.

#### Informative(s):

- 1 Reasons for granting permission.

The application site consists of vacant upper floor space above shops within use class A1 and A2. The properties are located within the Core Retail Frontage of the Kentish Town Centre. Camden Planning Guidance 5 (Town centres, retail and employment) explains retail uses will be protected along Core Shopping Frontages, namely at ground floor levels and not upper floor levels. The proposed conversion of the upper floor space would not result in the loss of retail floorspace in the

Kentish Town Area Core Frontage and the retained ground floor level retail area of 422sqm, by virtue of its size would not significantly impinge the existing retail operator from their day to day operations as a retail unit. Therefore the proposal would not significantly impinge the character, function, vitality or viability of the centre or local area and the new use, residential, meets a priority land use of Camden's Core Strategy. In line with LDF policies CS6 and DP2, the principle of providing residential accommodation at the site is considered appropriate, by way of maximising the supply of additional homes within the borough.

The proposal would provide 4 flats (1x1 bed, 2x2 bed and 1x4 bed) within the upper floor levels of 224-228 Kentish Town Road and would be accessed via a communal stairway from Wolsey Mews. Set out in Policy DP5, the Dwelling Size Priorities Table identifies market homes with 1 bedroom of low priority, 3 bedroom units of medium priority and 2 bedroom units very high priority. The Council expects at least 40% of market housing to provide 2 bedroom units. The proposal would therefore comply with Policy DP5 by providing 50% 2 bedroom units.

The proposal largely complies with Lifetime Homes criteria with those not met relating to parking spaces in close proximity and lifts to the upper level flats. In the context of those constraints, it is considered that the proposal adequately meets all applicable standards and the requirements of policy DP6.

The Council has set minimum internal space standards within CPG2 (Housing) and the London Plan provides minimum space standards for new residential development within table 3.3. The internal arrangement of flats would be 1x3 bedroom flat at first floor level (82sqm), 1x1 bedroom flat at first floor level (48sqm) and 2x2 bedroom flats at second floor level (75sqm and 61sqm). All of the proposed flats would comply with paragraph 4.14 of CPG2 and while the 1 bedroom flat would fall short of the requirements of the London Plan which requires 50sqm, this minor shortfall is considered acceptable in this instance given the acceptable layout and function of the flat and that it would be dual aspect. The proposed units would all have an acceptable layout, ceiling heights, room sizes and provision of sunlight, daylight, ventilation and outlook.

The external alterations are limited to new doorways at ground level from Wolsey Mews and at first floor level into the new residential accommodation. They would use matching materials and are considered acceptable.

Due to the nature of the external works, it is not considered that the proposal would result in any harm by way of a loss of light or outlook for neighbouring occupiers. It is considered that the proposed courtyard at first floor level would not introduce material levels of overlooking or a loss of privacy for any adjacent occupiers. The terrace would not be able to look into any habitable windows or amenity spaces of neighbouring properties.

Conversions of this level of floorspace (336sqm and 4 units) into residential would need to meet BREEAM for Domestic Refurbishments 'excellent' rating. Camden also requires conversions to achieve a minimum 60% score in the energy and water with 40% in materials. A BREEAM for Domestic Refurbishments assessment has been submitted indicating an 'excellent' rating can be achieved and that the

minimum scores in the energy (69%), water (70%) and materials (64%) sub-categories can be achieved. A Section 106 Legal Agreement would be required to secure a commitment to BREEAM for Domestic Refurbishments 'excellent' rating, as indicated in a pre-assessment and post-construction review.

The application site falls within a controlled parking zone (CPZ) and has a public transport accessibility level (PTAL) of 6a (excellent). Policy DP18 states that developments are expected to be car free in the Central London Area, within the town centres and other areas within CPZ that are easily accessible by public transport. As the new units would benefit from excellent public transport and lie within a town centre, it is considered that they would have to be car free and exempt from applying for a parking permit. This would be secured via a Section 106 Legal Agreement.

The applicant has provided cycle storage at ground floor level adjacent to Wolsey Mews. The London Plan requires 5 cycle parking spaces (1 per 1/2 bed units and 2 for 3 or more bed units) which could be accommodated within this area. The provision of 5 cycle parking spaces would be secured by planning condition. The proposal would provide a refuse area solely for the residential flats proposed, located at ground floor level adjacent to the cycle parking area.

No objections have been received prior to making this decision. The sites planning history and relevant appeal decisions were taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 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 CS5, CS6, CS7, CS8, CS11, CS13, CS14 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP6, DP12, DP17, DP18, DP19, DP22, DP23, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 2.15, 3.3, 3.5, 3.8, 4.7, 5.2, 5.3, 6.9, 6.13, 7.4, 7.6, 7.8, 8.2 and 8.3 of the London Plan March 2015, consolidated with alterations since 2011, and paragraphs 14, 17, 23-27, 29-41, 47-51, 56-68 and 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-](http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en)

[contacts/environment/contact-the-environmental-health-team.en](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.

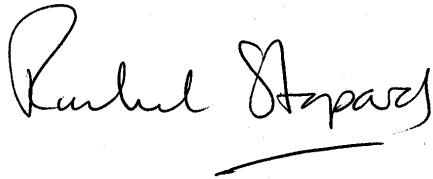
- 4 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of 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.

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 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard  
Director of Culture & Environment