

Our Ref: **JF/GB/20493**

Your Ref:

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Date: **23<sup>rd</sup> August 2016**

Camden Council  
5 Pancras Square  
London  
N1C 4AG

Dear Angela,

**180 KENTISH TOWN ROAD, LONDON, NW5 2AE  
APPLICATION UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT  
(1990) SEEKING A VARIATION TO CONDITION 5 OF PLANNING PERMISSION 2006/3605/P**

I write on behalf of my client, Highgate Capital, to submit a Section 73 application to vary Condition 5 'approved drawings' of planning permission ref: 2006/3605/P for the '*construction of a three-storey side/rear extension and a mansard-style extension to the roof, and alterations to the elevations to convert 2 x existing residential flats ancillary to public house to self-contained flats and create 5 x additional self-contained flats (Class C3)*'.

**Site and Surrounding Area**

The site at 180 Kentish Town Road is located in the Kentish Town Ward of the London Borough of Camden midway between Camden Town and Kentish Town underground station. The building lies on the eastern side of the road at the corner of Kentish Town Road and Patshull Road. The frontage of the building is located on Kentish Town Road; this is a major route leading into the centre of Camden Town to the south.

The surrounding area is mixed use, with High Street uses on Kentish Town Road and residential uses above.

The site is very well served by public transport and has a PTAL rating of 6a. There are several bus routes on Kentish Town Road and Tufnell Park and Camden Town underground station is within walking distance as well as Kentish Town, Kentish Town West and Camden road train station. There is a wide variety of shops on Kentish Town Road, covering all Class A uses.

**Background to the Proposal**

On 18th October 2006 permission (LPA ref: 2006/3605/P) was granted and implemented subject to a Section 106 Legal Agreement for the '*Construction of a three-storey side/rear extension and a mansard-style extension to the roof, and alterations to the elevations to*

*convert 2 x existing residential flats ancillary to public house to self-contained flats and create 5 x additional self-contained flats (Class C3).'*

My client, Highgate Capital, took on the development following the implementation of the permission in 2009. As construction began it transpired that the approved drawings were not as accurate as presumed and as a result, the Council did not have confidence that the building works exactly matched the approved drawings. An application to add an additional condition listing the approved drawings under reference 2006/3605/P was approved on 25<sup>th</sup> August 2016 (LPA Ref: 2016/4509/P).

### **Section 73 Application**

This Section 73 application thus finally clarifies the building work as constructed by substituting the approved with correct drawings that are accurately drawn; overlays have also been produced to demonstrate how minor these discrepancies are between the approved drawings and the new accurate drawings. The changes consist of minor alterations to the:

- Positioning of the windows;
- Placement and size of the rear extension, including bringing the external wall on Patshul Road forward in line with the rest of the existing development;
- Form of the mansard level;
- Position of the rear stairs;
- Chimney placement;
- Rear elevation;
- Layout of the internal walls.

The principal changes evident in the submitted drawings show slight adjustments to the overall position of the building, this includes all windows, the heights of the storeys, as well as the position of the rear extension. The mansard storey is where the main changes lie; the submitted drawings show discrepancies between the window placement, its length along Patshul Road, and its incline. However the overall form, shape, and aesthetic of the building remain as on the approved drawings. It must also be stressed that the neighbouring building was not accurately surveyed in the first instance, thus creating a warped perception of the proposed development.

### **Condition 5**

Condition 5 reads:

*The development hereby approved shall be carried out in accordance with the following approved plans: Site Location Plan P01; Drawing No. 2K5254 01; 2K5254 02; 2K5254 03; 2K5254 04; 2K5254 05; 2K5254 06; 2K5254 07; 2K5254 08 Rev A; 2K5254 09; 02 Element Details Sheets.*

We respectfully suggest the wording of the above condition to now read:

*The development hereby permitted shall be carried out in accordance with the following approved plans:*

2K5254 01, 2K5254 02, 2K5254 03, Site Plan August 2016, C2.1242.GAD.003\_Rev B\_Proposed\_First Floor\_03.08.16, C2.1242.GAD.004\_Rev B\_Proposed\_Second Floor\_03.08.16, C2.1242.GAD.005\_Rev B\_Proposed\_Third Floor\_03.08.16, C2.1242.GAD.006\_Rev C\_Proposed\_Fourth Floor\_03.08.16, C2.1242.GAD.008\_Rev A\_Proposed\_Section AA\_03.08.16, C2.1242.GAD.009\_Rev B\_Proposed\_Section BB\_03.08.16, C2.1242.GAD.011\_Rev A\_Proposed Elevation to Kentish Town Road\_03.08.16, C2.1242.GAD.012\_Rev A\_Proposed Elevation to Patshull Road\_03.08.16, C2.1242.GAD.013\_Proposed\_Rear Elevation\_03.08.16;

### **Content of Application**

In support of the above Section 73 application I have submitted the following information:

- Application Form;
- Application Fee of £195;
- Site Location Plan;

### **Approved Drawings**

- Proposed Basement and Ground Floor Plans;
- Proposed Elevations;
- Proposed First and Second Floor Plans;
- Proposed Section AA;
- Proposed Sectional Side Elevation;
- Proposed Third and Fourth Floor Plans;

### **Proposed Drawings**

- C2.1242.GAD.003\_Rev B\_Proposed\_First Floor\_03.08.16;
- C2.1242.GAD.004\_Rev B\_Proposed\_Second Floor\_03.08.16;
- C2.1242.GAD.005\_Rev B\_Proposed\_Third Floor\_03.08.16;
- C2.1242.GAD.006\_Rev C\_Proposed\_Fourth Floor\_03.08.16;
- C2.1242.GAD.008\_Rev A\_Proposed\_Section AA\_03.08.16;
- C2.1242.GAD.009\_Rev B\_Proposed\_Section BB\_03.08.16;
- C2.1242.GAD.011\_Rev A\_Proposed Elevation to Kentish Town Road\_03.08.16;
- C2.1242.GAD.012\_Rev A\_Proposed Elevation to Patshull Road\_03.08.16;
- C2.1242.GAD.013\_Proposed\_Rear Elevation\_03.08.16;

### *Superimposed with approved drawings*

- C2.1242.GAD.003\_Rev B\_Proposed\_First Floor\_Superimposed with Approved;
- C2.1242.GAD.008\_Rev A\_Proposed\_Section AA\_Superimposed with Approved;
- C2.1242.GAD.011\_Rev A\_Proposed Elevation to Kentish Town Road\_Superimposed with Approved;

- C2.1242.GAD.012\_Rev A\_Proposed Elevation to Patshull Road\_Superimposed with Approved;
- C2.1242.GAD.013\_Proposed\_Rear Elevation\_Superimposed with Approved.

I trust that the above and submitted information is self-explanatory. If however you should have any questions please do not hesitate to contact myself or John Ferguson.

Yours faithfully,

A handwritten signature in black ink that reads "GBarrett". The letters are cursive and connected, with a prominent "G" at the start.

GEORGIA BARRETT  
Assistant Planner