

Mrs Ruth Dovey  
Savills UK  
33 Margaret St  
London  
W1G 0JD

Application Ref: **2016/0843/P**  
Please ask for: **Tania Skelli-Yaoz**  
Telephone: 020 7974 **6829**

18 May 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:  
**317-319 Kentish Town Road**  
**London**  
**NW5 2TJ**

Proposal:

Erection of mansard roof on frontage building (facing Kentish Town Road) and a 2 storey extension over part of the single storey rear building (facing York Mews) with associated external and internal alterations to provide 3 additional self-contained residential units (C3) (1x1 and 2x2 bed) with a rear terrace, a change of use from betting shop (Sui Generis) at rear ground floor to office use/financial and professional services (B1/A2) and retention of retail use (A1) on the ground floor (front).

Drawing Nos: Site location plan S-001/A, (as existing:) E-001/B, 002/B, E-003/B, E-004/B, E-005/B, E-006/B, E-007/B, E-008/B, (as proposed:) P-001/F, P-002/F, P-003/D, P-004/D, P-005/F, P-006/F, P-007/E, P-008/B, Planning, Design & Access Statement by Savills dated June 2016, Daylight & Sunlight Assessment by Right-of-Light Consulting dated 12th January 2016.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan S-001/A, (as existing:) E-001/B, 002/B, E-003/B, E-004/B, E-005/B, E-006/B, E-007/B, E-008/B, (as proposed:) P-001/F, P-002/F, P-003/D, P-004/D, P-005/F, P-006/F, P-007/E, P-008/B.

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

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works. All other 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.

- 4 Notwithstanding the privacy screen hereby approved, on drawing no. 001/F, details of a minimum 1.2 metre high screen, complemented with landscaping to its sides, shall be submitted prior to commencement of use of the roof terrace. The details approved shall thereafter be permanently retained and maintained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of 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.

- 5 Before the development commences, details of secure and covered cycle storage area for 6 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.

- 6 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water)

- 7 Units 4, 5 and 6, as indicated on plan numbers hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

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.

- 8 Prior to the commencement of development, details of measures to be incorporated with regards to Designing-out-Crime shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thus approved.

Reason: In order to prevent opportunities for crime in accordance with the requirements of policy CS14 and CS17 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.

- 9 Prior to the commencement of any part of the development, a comprehensive energy strategy for the development including

(a) energy efficiency measures

(b) the feasibility for appropriate renewable or low carbon sustainable energy sources with the aim of reducing the development's carbon emission by at least 19%

shall have been submitted to and approved by the local planning authority. The development shall thereafter not proceed other than in complete accordance with all the measures as recommended in the approved strategy, which shall be permanently retained and utilised as the main power sources for the development. The measures shall include the installation of a meter to monitor the energy output

from the approved systems.

Reason: In order to secure the optimum energy and resource efficiency measures and on-site renewable energy generation in accordance policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

Reason: In order to secure the optimum energy and resource efficiency measures and on-site renewable energy generation in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP26, DP28 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 10 Prior to commencement of use, the rear bathroom windows to units 3, 4, 5 and 6 shall be installed as obscure glazed and non-openable to a height of 1.7m, and retained and maintained as such.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of 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.

Informative(s):

- 1 Reasons for granting permission: Part 1/2

The proposed mansard roof extension and rear 2 storey extension would provide 3 new residential units in addition to the 2 existing residential units on-site (existing units are located within the front building). The proposal includes the loss of a Betting Shop (Sui generis) at ground floor (129sqm) and retention of a retail unit at the front with a small reduction of 5sqm which is considered de minimis. The Betting Shop would be changed to a flexible office/financial and professional services (B1/A2) use.

The loss of the Betting Shop is considered acceptable as there is no protection for this type of use and the Council considers other uses in a retail area to be more beneficial. Its change to a flexible B1/A2 use is considered to be compatible with the residential uses above and would not be detrimental to the functionality of the retail unit to the front or surrounding area. The proposed residential accommodation is welcomed in accordance with policy DP2.

The overall mix of residential units on-site would comprise of 2x1 bed and 3x2 bed units which is considered acceptable and complies with policy DP5 (which requires at least 40% to be 2 bed). The proposed units and room sizes exceed the National Housing Standards and one of the flats provides external amenity space. A new side access point is proposed as the main entrance to the residential element. This is considered safe due to its proximity and visibility from the high street and subject

further to design-out-crime details which would be secured via planning condition.

The proposal has been assessed against the BRE guidelines with regards to daylight and sunlight implications and found to comply. Due to its size, location and similar layout to the adjoining building, the development would not significantly harm the amenity of any adjoining residential occupiers in terms of loss of light, outlook, enclosure or privacy. All residential units would receive good level of daylight including the front rooms of the rear extension, which benefits from dual and triple aspects. Conditions would be attached relating to the rear terrace and obscuring of rear windows to prevent overlooking/loss of privacy. This is required due to their direct facing relationship and proximity.

The proposal includes a mansard roof extension to the front building which has been designed as a true flat mansard compliant with design guidance (CPG1). The rear extension is 2 storeys high with the top storey designed as a similar mansard to that at the front. The remainder of the frontage to the rear is designed to align and be in keeping with the mews context and is considered acceptable.

Whilst the development would have some impact in terms of additional massing to the rear, such an extension in this location is not considered harmful to the character or appearance of the host building and street scene as the rear area of the site has been infilled in the past and the extension will sit well within the context of its surroundings.

The development would provide secure cycle storage, subject to condition, the new residential units would be secured as car-free and highway contributions are to be secured via a legal agreement.

One comment has been received and duly taken into account prior to making this decision. The site's planning history were taken into account when coming to this decision.

## 2 Reasons for granting permission: Part 1/2

As such, the proposed development is in general accordance with policies CS5, CS7, CS13, CS14 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP12, DP17, DP18, DP21, DP22, DP23, DP24, and DP26 of the London Borough of Camden Local Development Framework Development Policies and Policies D3 and SW2 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with policies the London Plan 2016 and the National Planning Policy Framework 2012.

The emerging Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report

into the examination only has limited weight.

- 3 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).
- 4 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.
- 5 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the information given on the plans, the Mayor's CIL Charging Schedule and the Camden Charging Schedule, the charge is likely to be £9,550 (191sqm x £50) for the Mayor's CIL and £95,500 (191sqm x £500) for the Camden CIL.

This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

- 6 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

*David T. Joyce*

David Joyce  
Director of Regeneration and Planning

