

Mr Chris Osborne  
Avebury Projects Ltd  
1 Copperhouse Court  
Milton Keynes  
MK7 8NL

Application Ref: **2017/3428/P**  
Please ask for: **Charles Thuaire**  
Telephone: 020 7974 **5867**

30 November 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:  
**1a Highgate Road**  
**London NW5 1JY**

Proposal: Variation of condition 4 (development in accordance with approved plans) of planning permission ref 2016/4663/P dated 20.12.16 (for Alterations to roof and elevations of warehouse building (Class B8), including changes to roof profiles, new rooflights, new doors and windows in front and rear elevations, plus new paving and fencing in front entrance courtyard), namely to allow further design alterations to roof, facades, fenestration and courtyard.

Drawing Nos: Superseded plans- 051-P3, 052-P4, 053-P3, 005-P1; Design statement by Avebury.

Revised plans- 075-P2, 076-P1, 077-P2; Design statement by Avebury (revised version received 7.8.17)

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 the original planning permission ref 2016/4663/P dated 20.12.16.

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 D1 of the London Borough of Camden Local Plan 2017.

- 3 Prior to occupation of the building, the glazed canopy overhanging the front entrance, facing eastwards towards Highgate Road, shall be obscure glazed and permanently retained as such thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 4 For the purposes of this decision, condition no.4 of planning permission ref 2016/4663/P shall be replaced with the following condition:

#### REPLACEMENT CONDITION 4

The development hereby permitted shall be carried out in accordance with the following approved plans- 050-P1, 054-P1, 075-P2, 076-P1, 077-P2; Design statement by Avebury (revised version received 7.8.17), Daylight and sunlight report by Point dated October 2016.

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

#### Informative(s):

- 1 Reason for granting permission-

The steeper roof pitch of the garage element adjoining the rear of the public house will be similar to the approved roof pitch on the rest of the warehouse and is considered to be not overly bulky or incongruous in the context of this overall building in a backland site. It will not harm the setting or character of the adjoining listed buildings in Kentish Town Road nor will it affect the public realm as viewed from this road. There will be no other change to the overall roof height, boundary eaves or pitches as previously approved. The creation of an external glazed canopy over the warehouse entrance, replacing a pitched roof with single rooflight, is acceptable in design terms and will not add to the bulk of this building or harm the streetscene beyond. The introduction of new metal doors and windows within a

new inset under this canopy and on the adjoining office wall are similarly acceptable in design terms.

The various alterations to rooflights, including rearranged ones on the flat roof and north roof pitch and additional ones on the south roof pitch, will mainly not be visible from neighbours and will have no impact on the roofscape. Similarly the replacement enlarged windows on the rear elevation facing the railway line are not visible in the public realm and are considered appropriate and acceptable in design terms. The changes to the windows and doors into a metal Crittall design are acceptable and appropriate for this commercial building.

The approved enclosed patio with fence within the entrance courtyard will be replaced by a square-shaped patio and a new refuse store with roof, both enclosed by brick walls. These minor alterations and additions do not visually add to the bulk of the building and are sympathetic in design terms. The existing cobbles will be retained instead of being replaced by new paviers, which is welcomed.

The changes to the main building roof and windows will not create any additional overlooking or light pollution or any loss of light and outlook to adjoining neighbours, given their location and size. The proposals are not considered to cause any adverse impacts on the amenity of adjoining residential occupiers. It is noted that the steeper roof pitch will adjoin non-residential public house function rooms and the entrance canopy with windows behind will face the existing entrance alleyway. Nevertheless, for the avoidance of doubt, it is considered prudent to require that the glazed canopy overhang be obscurely glazed to prevent any angled views from the new 1st floor windows, in the same way as the previous permission required the rooflight in this location to be obscurely glazed.

The courtyard enclosures do not rise above the neighbours' boundary wall; the patio will replace a previously approved amenity space, and the refuse store will be fully roofed over and replace existing informal open storage of bins here. In this context, it is considered there will be no further loss of amenity through additional overshadowing, noise or fumes.

Special regard has been attached to the desirability of preserving the setting of adjoining listed buildings, under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Two objections have been received prior to making this decision. These and the planning history of the site have been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, D1 and D2 of the Camden Local Plan 2017 and policies D3 and D4 of the Kentish Town Neighbourhood Plan. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

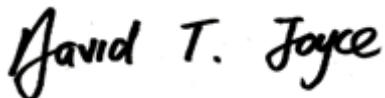
- 2 You are advised that this permission only relates to external changes to the existing warehouse building shown on the plans hereby approved and does not imply any approval for a future change of use of this building to flats.
  
- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

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 Joyce  
Director of Regeneration and Planning