

# 2017/6027/P – Workshop R/O 38-52 Fortess Road, Fortess Grove, NW5 2HB



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.



1) View of site and no.1 Railey Mews



2) View of site showing nos. 1 & 2 Railey Mews



3) Long view of site down Railey Mews, The Pineapple (Grade II Listed pub) in foreground



4) Aerial image of site outlined in red

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>22/12/2017</b>
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>	<b>07/12/2017</b>
<b>Officer</b>			<b>Application Number(s)</b>		
Ben Farrant			2017/6027/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Workshop Rear of 38-52 Fortess Road Fortess Grove London NW5 2HB			Please refer to draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Replacement of existing roof with acoustic louvered roof, and installation of louvres to Railey Mews elevation; replacement of existing single access door with double doors, and installation of internal electricity substation with associated access					
<b>Recommendation(s):</b>		Grant conditional planning permission			
<b>Application Type:</b>		Full planning permission			



<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses	<b>0</b>	No. of objections	<b>6</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed on 15/11/2017 (consultation end date 06/12/2017), and a press notice was published on 16/11/2017 (consultation end date 07/12/2017).</p> <p>Objections were received from 6 addresses in response to the public consultation, the results of which are summarised below:</p> <p><b>1 Railey Mews</b></p> <ul style="list-style-type: none"> <li>• Concern surrounding UK Power Network substation</li> <li>• Noise concerns (with various noise reports and assessments submitted)</li> <li>• Increased footfall as a result of the fire escape</li> <li>• Previous amendments on applications made improvements which this application seeks to undo</li> <li>• Validation of the application is unlawful as this section of the building does not form a separate planning unit</li> <li>• Other units impact on this application, e.g. plans show a fire escape on to Railey Mews, but this could form waste and cycle storage access which would harm neighbours – plans are misleading in this regard</li> <li>• No Heritage Statement has been submitted</li> <li>• Harmful roof design</li> </ul> <p><b>2 Railey Mews</b></p> <ul style="list-style-type: none"> <li>• Concern surrounding UK Power Network substation</li> <li>• Noise concerns (with various noise reports and assessments submitted)</li> <li>• Unclear with regards to exahusts/ducts etc and how these will impact on neighbours</li> <li>• Increased footfall as a result of the fire escape</li> <li>• Previous amendments on applications made improvements which this application seeks to undo</li> <li>• Validation of the application is unlawful as this section of the building does not form a separate planning unit</li> <li>• Other units impact on this application, e.g. plans show a fire escape on to Railey Mews, but this could form waste and cycle storage access which would harm neighbours – plans are misleading in this regard</li> <li>• No Heritage Statement has been submitted</li> <li>• Harmful roof design</li> </ul> <p><b>6 Railey Mews</b></p> <ul style="list-style-type: none"> <li>• Increased footfall as a result of the access doors</li> </ul>					

- Site has been relatively dormant for a number of years
- Loss of informal 'front garden' of the street
- Noise issues as a result of the internal plant
- Information is insufficient and incomplete

#### **7 Railey Mews**

- Increased footfall as a result of the access doors
- Site has been relatively dormant for a number of years
- Loss of informal 'front garden' of the street
- Noise issues as a result of the internal plant
- Information is insufficient and incomplete

#### **13 Railey Mews**

- Increased footfall as result of the fire escape with resultant noise, litter and vehicular parking issues
- Business and residential areas should have separate access points
- Noise concerns from internal plant

#### **14 Railey Mews**

- Access from the Mews is unacceptable
- Parking difficulties
- Noise from plant

#### **Officer Response:**

- *Noise reports were submitted with the application demonstrating the impact of the proposed development on surrounding occupants; these have been reviewed by the Council's Environmental Health (Noise) team, as have the noise reports and details submitted by third parties following public consultation, and the information provided demonstrates the development would accord with Camden's noise thresholds and would be subject to conditions.*
- *Whilst it is recognised that the proposed entrance on to Railey Mews may result in an increased level of footfall through this access, it is noted that the access is existing, and could be used at present to access the building. It would be unreasonable in planning terms to restrict access to the site from this existing access point.*
- *The proposal made here is assessed on its own planning merits*
- *A Heritage Statement has been included within the cover letter of the application*
- *The application is valid and the site plan shows the application site appropriately outlined in red and ownership outlined in blue*
- *The 'fire escape' access on to Railey Mews is existing, and can currently be used (for example) as access to the building for cycle storage or waste collection facilities*
- *The roof design is considered to be acceptable, as assessed in section 3 of this report*
- *The information submitted is considered to be sufficient to determine the planning application*
- *No additional parking provision is proposed with the application; it is considered that the proposal is unlikely to result in an increase in litter on to Railey Mews*

**Railey Mews  
Residents  
Association**

Railey Mews Residents Association commented as follows:

1. Primarily we are extremely surprised the developer intends to place the plant for the entire development between two residential houses with sharing party walls given the potential noise and vibration pollution for the neighbours in the Mews. In addition, assuming there will be a roof level outlet for the air conditioning systems we are concerned about fumes affecting the existing roof terraces. The latter point has not been addressed in the plans.

2. The results from the INAUDIO assessment of the Clark Sanders noise assessment report [...*submitted by a neighbour as part of an objection to the scheme...*] provided to the planning officer, confirms serious shortfalls and our concern re the lack of sound and vibration insulation between the properties and the front elevation of the building from where noise can pass directly out into the Mews and into numbers 1 & 2 Railey mews.

3. Regarding the double doors leading onto the Mews from the plant area and two office buildings behind. Our residents are extremely concerned this door will be used as an emergency exit or general exit for the office development which will inevitably be used as a place to smoke cigarettes and function as an exit from the general office development to the Pineapple pub, shops and local transportation. This would cause unacceptable discomfort to the residents in Railey Mews. We object to this use of the second door and request conditions to planning consent would specifically make reference to how and what the double door can and cannot be used for – as was the case in the original planning consent.

**Officer Response:**

- *Noise reports were submitted with the application demonstrating the impact of the proposed development on surrounding occupants; these have been reviewed by the Council's Environmental Health (Noise) team, as have the noise reports and details submitted by third parties following public consultation, and the information provided demonstrates the development would accord with Camden's noise thresholds.*
- *No external roof outlets (vents etc) are proposed, with the roof itself being a louvered design thereby negating the requirement for outlets*
- *Whilst it is recognised that the proposed entrance on to Railey Mews may result in an increased level of footfall through this access, it is noted that the access is existing, and could be used at present to access the building. It would be unreasonable in planning terms to restrict access to the site from this existing access point.*
- *Whilst the plans of the previous application (Ref: 2015/4501/P dated 02/06/2016) were amended to remove a door on to Railey Mews, this permission was not implemented. It would not be reasonable to refuse the application on the basis of the presence of a double door (discussed further in section 4 of the report). It would also be unreasonable in planning terms to restrict access to the site from this existing access point.*

## Site Description

The application site comprises a warehouse area to the rear of a vehicle repair workshop known as nos.36 to 52 Fortess Road. This part of the larger site fronts Railey Mews with pedestrian and vehicular access on to the mews.

The application site is located within a TFL Underground Zone of Influence, an Archaeological Priority Area and potentially contaminated land. The site is located within the Kentish Town Conservation Area, and The Pineapple public house on nearby Leverton Street is a Grade II Listed Building.

## Relevant Planning History

### R/O 38-52 Fortess Grove (application site)

**2015/4501/P** - Change of use from vehicle repair workshop (Class B2) within re-developed buildings to provide business floorspace (Class B1) within retained shell, 1 x 2-bed social rent dwelling on Railey Mews, 8 x 3-bed dwellings within retained shell (Class C3) and refurbishment of existing 1 x 2 dwelling on Fortess Grove – **Granted Subject to S106 02/06/2016**

**2017/4184/P** - Change of use from general industrial (Use Class B2) to business (Use Class B1) under the General Permitted Development Order 2015 Schedule 2, Part 3, Class I as amended and increasing the gross floor space of the buildings (internal mezzanine floors) – **Granted 22/08/2017**

**2017/6788/P** - Works to depot building (Studio B) comprising increasing height of existing parapet, erection of a single storey roof extension, rear infill extension, external alterations and landscaping of courtyard; provision of UKPN substation and external alterations to Railey Mews – **Decision Pending**

## Relevant policies

### **National Planning Policy Framework (2012)**

### **London Plan (2016)**

### **Camden Local Plan (2017)**

A1 Managing the impact of development

D1 Design

D2 Heritage

### **Camden Planning Guidance**

CPG1 Design (2015)

CPG6 Amenity (2011)

### **Kentish Town Conservation Area Appraisal and Management Strategy (2011)**



### 1. The proposal

1.1. This application seeks planning permission for the following works:

- Replacement of existing roof with acoustic louvered roof; whilst the replacement roof would have a different slope to the existing, the ridge height would remain unchanged, with the eaves contained behind the existing parapet fronting on to Railey Mews. This would also form in effect a 'hip to gable' style extension towards the southern end of the site removing the current sloped roof to be replaced with the gable end of the proposed roof
- Installation of internal UKPN substation with associated louvered double doors on to Railey Mews
- Replacement of existing single access door on to Railey Mews with double doors finished in matching louvers
- Installation of louvers facing on to Railey Mews to replace existing roller shutter. This louvered panel would also contain the aforementioned two sets of double doors (providing access to the UKPN substation and to the main building)

### 2. Revisions

2.1. With the exception of further clarification of the plans and Noise Impact Assessment, no alterations were made to the proposal

### 3. Conservation and design

3.1. The application site is located within the Kentish Town Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of that area.

3.2. The proposed louvered roof would replace an existing corrugated roof which contains a number of rooflights. The alteration would result in the eaves remaining behind the existing parapet fronting on to Railey Mews and would not increase the ridge height from the existing situation. It would similarly be constructed in metal giving a somewhat industrial appearance, which, given the industrial heritage of the host building, is considered to be appropriate in this instance. The alteration would have a neutral impact on the host property in terms of visual amenity, and would not constitute harm to the surrounding area.

3.3. Similarly the proposed louvered doors fronting on Railey Mews would replace a large existing roller shutter door providing pedestrian and vehicular access to the building. The roller shutter door in its current form presents an industrial appearance to this building; the louvered finish would fit within the existing brick opening. The louvered section would provide a similar visual finish to the existing doors, and would improve the overall aesthetic of the building (subject to appropriate conditions, restricting its colour finish). The alteration would not cause harm to the character and appearance of the property and is considered to be acceptable.

3.4. The installation of the internal plant and UKPN substation would not have a discernible impact on the external appearance of the property and is considered to be acceptable in design terms.

3.5. Given the above assessment, the proposal is considered to be acceptable in terms of design in accordance with Policies D1 and D2 of the Camden Local Plan 2017.

#### **4. Impact on Neighbour Amenity**

- 4.1. Policy A1 of the Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.
- 4.2. A Noise Impact Assessment has been submitted with the application in respect of the installation of internal plant at first floor level. This has been reviewed by the Environmental Health (Noise) team and has been assessed as acceptable (following receipt of further information/clarification through the course of this application). A condition would be included to ensure Camden's noise thresholds were not breached. As such, the proposal is considered to be acceptable in noise/vibration terms.
- 4.3. Given the siting, scale and design of the proposed additions, they are considered not to result in undue harm to the residential amenities of neighbouring occupants. The roof would not project any higher than the existing roof ridge, with material finish to the front of the property from a roller shutter door to a louvered panel area similarly having no discernible impact on neighbours. Whilst the roof would form a 'hip to gable' style addition to the south, this would have minimal impact on neighbouring amenity.
- 4.4. Comments have been received following public consultation on the scheme that the proposal would have an adverse impact on neighbours as a result of the double doors on to Railey Mews, which would facilitate access to the building (which in turn links to the remainder of the building at 38-52 Fortess Grove). Whilst it is acknowledged that this could be used as an access to the building for any future development which may come forward as a result of the currently pending application (ref: 2017/6788/P), it is noted that the access on to Railey Mews has been in existence for a number of years both for pedestrian and vehicular access. Whilst this may not have been fully facilitated by the current occupier, it would be unreasonable in planning terms to restrict access to the site from this existing access point. As such, it is considered that the installation of double doors would not significantly alter the existing situation in terms of impact on neighbours.
- 4.5. Overall, the proposal is considered to be acceptable in terms of its impact on privacy, outlook, sunlight, daylight, overshadowing, artificial light levels, noise, and vibration.

#### **5. Transport**

- 5.1. Given the relatively minor nature of the proposed works a Construction Management Plan is not expedient in this instance. Similarly a S106 highways contribution is unnecessary in this instance given the relatively small scale of the works proposed in this application.
- 5.2. Whilst the doors to the UKPN substation open outwards onto the public highway of Railey Mews these are expected to be used only occasionally for maintenance purposes and so are considered acceptable in this instance.

#### **Recommendation:**

Grant conditional planning permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 26<sup>th</sup> March 2018, nominated members will advise whether they consider this***

***application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2017/6027/P  
Contact: Ben Farrant  
Tel: 020 7974  
Date: 20 March 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[camden.gov.uk](http://camden.gov.uk)

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk](http://www.camden.gov.uk)

Firstplan  
Firstplan  
Bramah House, 65-71 Bermondsey Street  
London  
SE1 3XF

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Workshop Rear of 38-52 Fortess Road**  
**Fortess Grove**  
**London**  
**NW5 2HB**

# DECISION

Proposal:

Replacement of existing roof with acoustic louvred roof, and installation of louvres to Railey Mews elevation; replacement of existing single access door with double doors, and installation of internal electricity substation with associated access

Drawing Nos: 1014-PL-S-C-00, 1014-EX-C-00, 1014-UC-C-01, 1014-EX-C-RF, 1014-ES-C-01, 1014-UC-C-01, 1014-ES-C-02, 1014-UC-C-02, 1014-EX-C-10, 1014-PL-C-00, 1014-PL-C-01, 1014-PL-C-RF, 1014-PL-C-S-01, 1014-PL-C-S-02, 1014-PL-C-10, 80297-GEN-0005\_Issue\_C.1, and Noise Impact Assessment AS9808.170725.NIA1.1 published 20 October 2017 and subsequent information dated 19th December 2017 by Clarke Saunders Acoustics

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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 1014-PL-S-C-00, 1014-EX-C-00, 1014-UC-C-01, 1014-EX-C-RF, 1014-ES-C-01, 1014-UC-C-01, 1014-ES-C-02, 1014-UC-C-02, 1014-EX-C-10, 1014-PL-C-00, 1014-PL-C-01, 1014-PL-C-RF, 1014-PL-C-S-01, 1014-PL-C-S-02, 1014-PL-C-10, 80297-GEN-0005\_Issue\_C.1, and Noise Impact Assessment AS9808.170725.NIA1.1 published 20 October 2017 and subsequent information dated 19th December 2017 by Clarke Saunders Acoustics.

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

- 4 Prior to use, the machinery, plant and equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by vibration in accordance with Policies A1 and A4 of the London Borough of Camden Local Plan.

- 5 Notwithstanding the details hereby approved, the louvers on the eastern elevation, and roof of the development shall be painted black or dark grey, prior to occupation.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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

**DECISION**