

April 2019

# **Planning, Design and Access Statement**

**317-319 Kentish Town Road**

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# 1. Introduction

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- 1.1 This statement has been prepared in support of a minor material amendments planning application for nos. 317-319 Kentish Town Road.
- 1.2 The proposed minor amendments include internal re-configuration to provide better commercial and residential layout, the use of more brickwork in place of some of the previously proposed rendered elevations, addition of corner quoins and new arrangement of doors on Kentish Town Road, additional cycle storage, improved bin storage, reconfiguration of roof terrace along York Mews and construction of associated privacy screen. These alterations are discussed in full under the planning considerations section.
- 1.3 In accordance with the Government's guidance relating to 'Greater flexibility for planning permissions', the application is submitted under s.73 of the Act as a minor material amendment via Condition 2 of the planning permission, which states that the development permitted shall be not carried out except in complete accordance with the details shown on submitted plans.
- 1.4 The guidance advises that an application for minor material amendments can be made through a S.73 application to change a condition listing approved plans.
- 1.5 The consent was granted in May 2017 and remains extant. The development has not yet been implemented.
- 1.6 Condition 2 of the existing planning permission states that "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, E-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/P
- 1.7 This application seeks to vary Condition 2 of the planning permission to read "The development hereby permitted shall be carried out in accordance with the following approved plans: (existing) 001, 010, 011,012,013,021,031,032, (proposed) 110,111,112,113, 201, 301,302.
- 1.8 This report has been prepared following an examination of the site and surroundings, research into the planning history of the property and an examination of relevant policy documents

1.9 This statement provides background information on the site and an assessment of the changes to the approved scheme in relation to planning policy and other material considerations, and is set out under the following sections:

- **Section 2** outlines the site and its context within the surrounding area
- **Section 3** provides an overview of the planning history
- **Section 4** provides an outline of the proposals
- **Section 5** examines the main planning considerations
- **Section 6** draws our conclusions in respect of the proposals

## 2. Site and Surroundings

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- 2.1 The site is located on the western side of Kentish Town Road on the corner of Kentish Town Road and York Mews. Kentish Town Road is a main street within a town centre whilst York Mews is a short access road that runs behind the retail units on Kentish Town Road. The site sits between the two and is fully covered by buildings.
- 2.2 The frontage building is three storeys in height and drops down to single storey height at the rear. This contrasts with the building immediately adjacent, no. 321 Kentish Town Road, which is four storeys at the front (including mansard) and three storeys at the rear; a development that was approved in 1996.

### *Application site and street scene*



*Rear of York Mews*



- 2.3 The surrounding area is mainly characterised by 3-4 storey Victorian buildings and the frontage building at the site is typical of this. The predominant uses in the area are commercial uses including retail / restaurant / offices at ground floor level and office / residential above.



- 2.4 The building heights along York Mews vary from single storey to three storey. The existing single storey structure at the rear of the pre-application site is bland and unattractive in appearance and makes no positive contribution in terms of visual amenity.

*Birdseye view of York Mews*



- 2.5 Internally, the ground floor of the site comprises a retail unit at the front which is currently occupied by a hairdressing salon. At the rear is a betting shop which has separate access to the side of the existing shopfront. The upper floors of the frontage building are in residential use comprising 2 x 2 bedroom flats.
- 2.6 The site falls within the Core Frontage of the designated Kentish Town Centre. The building is not listed, nor is it located in a conservation area. The site falls within flood risk zone 1 and an Archaeological Priority Area.

### 3. Planning History

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3.1. The table below sets out the relevant planning history to the site:

<b>Ref. no.</b>	<b>Description</b>	<b>Decision</b>	<b>Determination date</b>
<b>2016/0843/P</b>	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).	Permitted	07-06-2016
<b>2014/3850/P</b>	Erection of two storey roof extension and additions to create 2 x 2 bed flats.	Withdrawn	
<b>2013/0684/P</b>	Change of use from retail (Class A1) to Financial and Professional Services (Class A2) at part ground floor level, including alterations to shop front.	Refused at appeal	30.10.10
<b>2009/5054/P</b>	Change of use of offices (Class B1) at first and second floor levels to two self-contained two bedroom residential units (Class C3).	Approved	28.01.10
<b>2009/2167/P</b>	Change of use of offices (Class B1) at first and second floor levels to three residential units (Class C3) (two 1-bedroom, one 2-bedroom).	Withdrawn	



## 4. Proposals

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4.1. The following changes to the approved scheme are proposed as part of this s.73 application:

- Fire exit door onto York Mews,
- Additional bike store at ground floor level
- Improved bin store accessibility and installation of double doors on York Mews.
- Internal reconfiguration of flat at first and second floor level of rear extension
- Reconfiguration of windows and doors on the South elevation
- Rendered band removed and brickwork exposed on the South and West elevations
- Reconfiguration of roof terrace at first floor level and erection of associated screening – this to be a brick wall integral to the building in place of previously proposed timber

## 5. Planning Considerations

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5.1. This section outlines the relevant national and local planning and listed building policies against which the proposals are considered.

### **National Planning Policy Framework**

5.2. The National Planning Policy Framework (July 2018) sets out the Government's planning policies for England and replaced the majority of the existing Planning Policy Statements (PPSs) and Planning Policy Guidance (PPGs).

5.3. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). It also states, at paragraph 38, that Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.

### **5.4. Local and Regional Policy**

5.5. S38(6) of the 2004 Planning & Compulsory Purchase Act requires that determination of any planning application must be in accordance with the development plan unless material considerations indicate otherwise

5.6. In this case the development plan comprises the London Plan (January 2016), the Camden Local Plan 2017 and Camden Planning Guidance; Design 2019.

5.7. The following section examines the proposed changes to the scheme put forward by the minor material amendment application and sets out the considerations of these changes in relation to planning policy and guidance, which has changed since the parent consent was approved.

- Land Use
- External alterations
- Transport

### ***Land Use***

The revised scheme will retain the two commercial retail units currently on site.

The 2 flats to the rear are re-configured but the residential mix (2 x 2 beds) remains the same as approved.

## **Design**

- 5.8. Core Strategy Policy DS1 states that the Council will require development of the highest standard of design that respects local context and character; and preservation and enhancement of Camden's rich and diverse heritage assets and their settings, including conservation areas.
- 5.9. The minor changes as shown on the revised drawings are considered to be an enhancement on the consented scheme, in both terms of practical usage (fire exit, improved bin storage, additional cycle parking) and appearance.
- 5.10. The removal of the rendered band provides for a cohesive south and west elevation formed of high quality brickwork.
- 5.11. The raising of the parapet wall between the south building (York Mews) and north building (Kentish Town Road) to incorporate a 1.2m high privacy screen to the terrace area is a far better resolution than the ad hoc timber screen previously proposed to fulfil this function.

## **Unit Mix**

- 5.12. This does not change as a result of the updated drawings and remains as 1 x 1 bed, 2 x 2 bed and 1 x 3 bed to ensure that the development meets the Council's 'priority' housing needs.

## **Neighbouring Residential Amenity**

- 5.13. Policy A1 seeks to manage the impact of development on residential amenity and outlines that the Council will protect the quality of life of occupiers and neighbours taking into account visual privacy and outlook, sunlight, daylight and overshadowing, noise and vibration and odour fumes and dust, amongst other things.
- 5.14. With regard to privacy, the revised scheme is the same as the parent consent in that there are no habitable room windows proposed in the elevation of the rear building facing the existing flat and, therefore, no windows directly facing the windows of the existing flats at no. 317-319.
- 5.15. The reconfigured terrace remains materially similar to the consented terrace and will be screened from surrounding occupiers by a 1.2m privacy screen.

## **Transport**

- 5.16. The existing S106 ensures that the consented scheme is car free in respect of the additional units. This situation would continue through a deed of variation to ensure the s73 application was bound by the same restrictions.

- 5.17. The parent consent provides for 5 cycle spaces as required under policy. The s.73 application provides for 8 cycle spaces and therefore exceeds the required standard.

**Access**

- 5.18. Part M relates to access for new dwellings. Accordance with Part M is somewhat limited given the constraints of the site and that new flats are being created as an extension to existing buildings rather than as a wholesale redevelopment scheme. The situation with regards to Part M has not changed and all the external and internal doors would still have a minimum clear opening width of 775mm.

**Secure by Design**

- 5.19. As with the existing residential units, the proposed new units would be accessed from the side of the building along York Mews. In order to improve safety and security it is proposed to place a motion-sensored light on side elevation of the building. A video entry phone system will also be installed in the flats.

**Sustainability**

- 5.20. The minor changes made to the scheme do not impact upon its sustainability credentials

## 6. Conclusions

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- 6.1. Government guidance does not give a formal definition of a minor material amendment however it is generally accepted that such an amendment should not result in a scheme that is substantially different from that which is approved. The proposed changes do not result in a scheme that is substantially different to that which is approved and therefore can be considered under a s.73 application.
- 6.2. The proposed changes enhance the consented development and preserve the amenity of neighbouring occupiers.
- 6.3. The development still provides 4 additional residential units providing a good mix of accommodation with 75% of the units being either two bedroom or three bedrooms. The 2 bedroom flats in the south building have been improved in terms of their internal layout by the changes shown on the enclosed drawings.
- 6.4. The design enhancements have carefully considered the context of the surrounding area and the changes offer both practical and aesthetic benefits.