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**Our ref: 2018/4203/PRE**  
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Dear Anish Shah,

**335 Kentish Town Road & 20 York Mews  
NW5**

Thank you for submitting a pre-planning application enquiry for the above property which was received on 30/018/2018, together with the required fee of £1,854.50.

**1. Proposal**

- 1.1 Erection of part width rear extension up to second floor level; Erection of 3 storey building on York Mews, associated with various changes of use throughout to provide 5 residential units.

**2. Site description**

- 2.1 The application site comprises a four storey terraced building located on the west side of Kentish Town Road within the Kentish Town Centre. The site is typical of the type of building along this frontage which is characterised by ground floor retail with similar detailing of the upper floors to the front with no alteration apparent at roof level.
- 2.2 The rear of the site comprises a single storey rear extension that extends to the rear site boundary with a larger two storey element which, according to the planning history, appears to have historically been used as staff quarters for the A1 retail store once first built in 1964. The applicant notes that this area is self-contained B8 storage space, but it is not clear throughout any of the planning history that this is the case. Further discussion of this is provided below.
- 2.3 The submission states the upper floor levels of 335 Kentish Town Road are in residential use, however no planning or council tax records demonstrate this.
- 2.4 The submission states the upper floor level of 20 York Mews is in residential use, however no planning records demonstrate this.
- 2.5 The site is located on a Core Retail Frontage and is located within the Kentish Town Neighbourhood Plan Area. The site is not within a conservation area, nor is it located within the setting of any listed buildings.

### 3. Planning history

3.1 The following planning history is relevant to this site:

#### **335 Kentish Town Road & 20 York Mews (application site)**

- 2017/1403/P - Installation of replacement timber shopfront. (Retrospective). – Granted 20/12/2017
- 2017/1442/A - Display of 1x halo illuminated fascia sign, 1x externally illuminated projecting sign and retractable awning. (Retrospective). - Granted 20/12/2017
- TP83909/13791 – Alterations and erection of a single storey extension to shop at No.335 Kentish Town Road, St. Pancras. – Granted 01/11/1963.
- TP83909/17429 – Alterations and erection of a single and part two- storey extension to shop at rear of No. 335 Kentish Town Road, St. Pancras. – Granted 03/01/1964.
- TP3656/01637 – To enclose the open space at the rear of the ground floor shop premises at No. 335, Kentish Town Road, St. Pancras, by a glazed roof. – Granted 03/03/1965.

### 4. Relevant policies and guidance

4.1 The following policies will be taken into consideration:

#### **National and Regional Policy**

National Planning Policy Framework (NPPF) 2018  
London Plan 2016

#### **Camden Local Plan 2017**

Policy G1 Delivery and location of growth  
 Policy H1 Maximising housing supply  
 Policy H3 Protecting existing homes  
 Policy H4 Maximising the supply of affordable housing  
 Policy H6 Housing choice and mix  
 Policy H7 Large and small homes  
 Policy C5 Safety and security  
 Policy C6 Access for all  
 Policy E1 Economic development  
 Policy E2 Employment premises and sites  
 Policy A1 Managing the impact of development  
 Policy A4 Noise and vibration  
 Policy D1 Design  
 Policy CC1 Climate change mitigation  
 Policy CC2 Adapting to climate change  
 Policy CC3 Water and flooding  
 Policy CC4 Air quality  
 Policy CC5 Waste  
 Policy TC4 Town centre uses

Policy T1 Prioritising walking, cycling and public transport  
 Policy T2 Parking and car-free development  
 Policy T3 Transport infrastructure  
 Policy T4 Sustainable movement of goods and materials  
 Policy DM1 Delivery and monitoring

### **Camden Planning Guidance**

Adopted March 2018:

- [CPG Housing \(interim\)](#)
- [CPG 2 Housing May 2016 updated March 2018\)](#)
- [CPG Amenity](#)
- [CPG Employment sites and business premises](#)
- [CPG Town centres](#)

Adopted Prior:

- [CPG 3 Sustainability \(July 2015 updated march 2018\)](#)
- [CPG 6 Amenity \( September 2011 updated March 2018\)](#)
- [CPG 7 Transport \(September 2011\)](#)
- [CPG 8 Planning obligations \(July 2015 updated March 2018\)](#)

- 4.2 The site is located within the Kentish Town Neighbourhood Forum Area which was adopted on 19th September. As such, the policies within the Kentish Town Neighbourhood Plan are relevant to this case.

### **Kentish Town Neighbourhood Plan Policies**

- Policy SW1: Supporting Small Business
- Policy D3: Design principles

## **5. Assessment**

- 5.1 The principal considerations material to the determination of this scheme are summarised as follows:

- Principle of land use;
- Design;
- Mix and standard of residential accommodation;
- Impact on the amenity of adjoining and future occupiers;
- Transport, access and parking
- Sustainability & Energy Efficiency
- CIL

### **Principle of land use**

- 5.2 The use of the site is somewhat unclear due to the lack of planning records relating to the current uses on site. An assessment shall however continue based on Council

records available. The applicant is therefore advised to submit a Certificate of Lawful Existing Use to clarify this matter.

*Loss of Use Class A1 floorspace at 335 Kentish Town Road*

- 5.3 The submission states the upper floor levels of 335 Kentish Town Road are in residential use, however no planning or council tax records demonstrate this. The Council records recognise the upper floors of 335 Kentish Town Road to be Use Class A1 floorspace.
- 5.4 Policy TC2 (Camden's centres and other shopping areas) seeks to protect and enhance the role and unique character of each of Camden's centres.
- 5.5 With specific regard to housing above shops, the Council supports the development of housing within centres and Central London including above and below shops where this does not prejudice the town centre function and particularly the ability of the ground floor to be used for town centre uses.
- 5.6 The proposal would not result in the loss of retail floorspace in the Kentish Town Area Core Frontage. The proposal would however result in the loss of 129sqm of retail floorspace at upper floor level.
- 5.7 Whilst the thrust of policy TC2 would resist the loss of shopping floorspace within a designated area such as this, the retained ground and basement floor level area of 270sqm, by virtue of its size would not significantly impinge the existing retail operator from their day to day operations as a retail unit. Therefore the proposal would not significantly impinge the character, function, vitality or viability of the centre or local area and the new use, residential, meets a priority land use of Camden's Local Plan.

*Loss of Use Class B8/a1 at 20 York Mews*

- 5.8 Although self-contained, the applicant contends that the ground floor level area within the two storey building to the rear of the site falls under A1 Use Class at ground floor level. Whilst it is conceivable that this area could be used as a self-contained B8 storage space, there is no evidence within this submission to certify this position.
- 5.9 As such, further detail and evidence (See paragraph 6.2) will need to be provided as part of any future planning application to demonstrate what the use class of this area is. The existing floor plans suggest however that this area is indeed ancillary storage space to the retail space at ground floor. As per policy TC2, officers will need to be convinced what the future storage provision of the site will be to ensure that enough is provided in order for the remainder unit to operate successfully.

*Proposed Use Class C3 use at 335 Kentish Town Road (upper levels) and rear ground floor facing York Mews*

- 5.10 The principle of providing residential accommodation at the site is considered appropriate, by way of maximising the supply of additional homes within the borough.

- 5.11 Following an officer site visit, it would be consistent with the character of York Mews to serve residential accommodation, particularly given that servicing associated with the retail units would likely take place on Kentish Town Road. The acceptability of the units themselves, however, must be assessed against the relevant standards of accommodation criteria set out below.

### **Design**

- 5.12 The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 requires extensions to consider the character, setting, context and the form and scale of neighbouring buildings; the quality of materials to be used; and the character and proportions of the existing building.
- 5.13 The existing building is facing Kentish Town Road and contributes well to the particular local scene, however its rear extensions and relationship with York Mews is considered negative. The principle of demolition to the rear most elements therefore, be it partial or substantial, is not contested provided that the replacement scheme is of high quality design and respects the local context and character of the area.
- 5.14 Following our meeting, the plans were amended to which these comments relate.

#### *Rear extension to 335 Kentish Town Road*

- 5.15 The proposed rear extension to No. 325 would be subservient in scale to the main building and would be one full storey below the eaves level. The rear elevations of the group of buildings is varied in character, however this extension would not detract or harm this character. The associated materials to the proposed fenestration should be timber framed and not UPVC or powder coated aluminium.

#### *New building at 20 York Mews*

- 5.16 The proposal includes a three storey building, an almost identical proposal to that approved in 2015 to the rear of 325 Kentish Town Road (2015/2605/P).
- 5.17 Where the approved scheme at 325 Kentish Town Road 'would match the height, depth and general form of the development at Nos. 6-8 York Mews...[and]... would infill the existing unsightly gap in York Mews and complete the frontage and is considered to relate well to the existing properties in York Mews', the proposal submitted for 20 York Mews is considered of significantly lesser quality and design merit.
- 5.18 In this instance, the materials (UPVC, powder coated aluminium, zinc mansard) and detailed design (squat fenestration and their unsympathetic relationship) require much improvement.
- 5.19 Whilst the principle of such a new dwelling in this location, at this size and scale, is considered acceptable, the detailed design and materials proposal are considered unsympathetic.

### **Mix and standard of residential accommodation**

- 5.20 Policy H7 aims to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply.
- 5.21 Camden policy considers the provision of 1-bedroom units as being low priority, and 2 and 3-bedroom units to be high priority for the borough's needs.
- 5.22 The proposal would provide 5 units:
- Flat A (20 York Mews): 1b2p (50sqm)
  - Flat B (20 York Mews): 2b4p (78sqm)
  - Flat C First Floor (335 Kentish Town Road): 1b2p (42sqm)
  - Flat D First Floor (335 Kentish Town Road): 1b1p (42sqm)
  - Flat E First Floor (335 Kentish Town Road): 1b1p (41sqm)
- 5.23 Policy H6 of the Local Plan notes that the Council will attach equal weight to the quality and quantity of new homes proposed in the borough and will not sacrifice housing quality in order to maximise overall housing supply. All but one of the units (Flat B – 1sqm short) would meet the Government's nationally described space standard, and it is considered that the units would provide a good standard of living accommodation in terms of self-containment, layout, and room sizes.
- 5.24 A cross section plan has not been provided, therefore Officers are unable to comment on ceiling heights. A minimum 2.3m headroom for at least 75% of the floor area is required as set out in the Nationally Described Space Standard technical requirements 10(i). Nonetheless, the applicant is strongly encouraged to provide a new home with a ceiling height of 2.5m for at least 75% of its gross internal area (GIA) as set out in the London Housing SPG standard 31.
- 5.25 The Council would require 90% of new-build self-contained homes in each development to be accessible and adaptable in accordance with Building Regulation M4(2) and 10% to be suitable for occupation by a wheelchair user or easily adapted for occupation by a wheelchair user in accordance with Building Regulation M4(3).
- 5.26 The existing flat above 20 York Mews is less than 19sqm and did not receive planning permission, the increase and improvement of this flat is welcomed to provide Flat B.

### *Affordable Housing*

- 5.27 Policy H4 requires a proportion of the housing provided to be affordable in accordance with the sliding scale. Targets are based on an assessment of development capacity whereby 100sqm (GIA) of housing floorspace is generally considered to create capacity for one home. Targets are applied to additional housing floorspace proposed. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% of for each home added to capacity.

On the basis of 266sqm of additional housing floorspace proposed (minus 19 – existing flat), this would result in a requirement for 4% affordable housing and we would consider a payment-in-lieu. The target would be 4% of 247sqm which equals 10sqm. Multiplied by £2,650 per sqm (the level of contribution per sqm described in CPG8), the financial contribution would be £26,500.

### **Impact on the amenity of adjoining and future occupiers**

- 5.28 Policy A1 of the Camden Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy and outlook, sunlight, daylight and overshadowing; artificial lighting levels; transport impacts; impacts of the construction phase; noise and vibration levels; odour, fumes and dust; microclimate; contaminated land; and impact upon water and wastewater infrastructure.

#### *Privacy*

- 5.29 The rear elevation of 335 Kentish Town Road and its neighbouring buildings comprise primarily windows which would service habitable rooms at each floor.
- 5.30 As a result of the proposal, windows to the rear of 335 Kentish Town Road and its neighbouring buildings would be separated from the new building on York Mews by 13m, separated by a courtyard/terrace and some screening.
- 5.31 Introducing a greater potential for close distance mutual overlooking, resulting in a loss of privacy to the occupiers of each building would be contrary to CPG6 (Amenity) and A1 (Managing the impact of development on occupiers and neighbours). To ensure privacy, there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other.
- 5.32 Whilst a distance of 13m is commonplace in central London, the full access to the courtyard and windows which look out upon it would compound matters of privacy to all existing and proposed occupiers (including the commercial unit which would also have access to this area) at 335 Kentish Town Road. The proposed courtyard, which could accommodate a significant number of people (residents or workers related to the commercial unit), in addition to its proximity to windows in the adjacent properties would cause noise nuisance to neighbours, especially during periods of fine weather when the terrace is most likely to be used and when neighbours would be most likely to want their windows open.
- 5.33 The proposal would therefore result an unacceptable levels of overlooking, associated noise and disturbance to the adverse harm of the neighbouring existing and proposed occupiers (particularly to Flats A/B/C).

#### *Sunlight / Daylight*

- 5.34 It is considered that the rear extension to 335 Kentish Town Road, by virtue of its terminating height and depth could cause undue harm to the visual and residential amenities of neighbouring and nearby properties by way of outlook; sunlight, daylight and overshadowing. Therefore a full analysis of impact on neighbouring amenity would be expected as part of any planning application, to include impact on outlook; sunlight, daylight and overshadowing.

*Plant*

- 5.35 No details have been provided in relation to the plant associated with the commercial units. This has been depicted on plan between flats B and C at first floor level which is of concern. It is likely that these would result in noise nuisance however a noise impact assessment should be provided to confirm this matter.

**Transport, access and parking**

- 5.36 Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. This is in order to ensure that the proposed scheme does not lead to an increase in pressure on on-street parking permit spaces. A Car-fee development for all the units (including existing but reconfigured) would be secured by a legal agreement.
- 5.37 The legal agreement would also secure a financial contribution towards repaving the footway should there be any damage to the public highway during the construction phase of any future development and to ensure that the footway ties the development into the surrounding urban environment. The fees estimate would be confirmed during the application stage.
- 5.38 Policy T1 of the new Camden Local Plan requires developments to provide cycle parking facilities in accordance with the minimum requirements of the London Plan and the design requirements outlined in CPG7. A minimum of seven cycle parking spaces would be required for the 6 new units to be provided and should not be placed at first floor level within the courtyard.
- 5.39 Highways officers have determined that a Construction Management Plan (CMP) would be required for this scale of development. The verification of its implementation during the Construction Phase would cost £3,136.

*Refuse/waste*

- 5.40 The proposal should provide ground floor level access to a communal refuse area associated with the residential flats. This has not been depicted on plan appropriately.

**Sustainability & Energy Efficiency**

- 5.41 The Council would require development to incorporate sustainable design and construction measures. Schemes must demonstrate how sustainable development principles have been incorporated into the design and proposed implementation. You are advised to refer to Policy CC1 and CC2 of Camden's Local Plan and the accompanying text, as well as CPG3 (Sustainability).
- 5.42 The Council expects developments of five or more dwellings to achieve a 20% reduction in carbon dioxide emissions from on-site renewable energy generation (which can include sources of site related decentralised renewable energy), unless it can be demonstrated that such provision is not feasible. This is in line with stage three of the energy hierarchy 'Be green'. The 20% reduction should be calculated from the regulated CO2 emissions of the development after all proposed energy



efficiency measures and any CO2 reduction from non-renewable decentralised energy have been incorporated.

- 5.43 Policy CC2 'Adapting to climate change' states any development involving 5 or more residential units is required to demonstrate climate change adaptation measures in a Sustainability Statement. Such measures to include:
- a) not increasing, and wherever possible reducing, surface water runoff through increasing permeable surfaces and use of Sustainable Drainage Systems;
  - b) incorporating bio-diverse roofs, combination green and blue roofs and green walls where appropriate; and
  - c) measures to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy.

### **Mayor of London's Crossrail CIL and Camden's CIL**

- 5.44 The proposal will be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the creation of new dwellings.

### **Conclusion**

The site has a number of matters, which require clarification, including the matter of its authorised uses. The above assessment has therefore been taken based on those which received planning permission or suitable tax records demonstrating the relevant uses currently.

Notwithstanding the above, the change of use from commercial to residential could be considered acceptable subject to the quality and standard of accommodation provided for the viability and vitality of the retained commercial unit and the newly formed residential accommodation.

The proposed rear extension and new building on York Mews are appropriate in principle, but this is subject to a higher quality of design and materials which respects local context and character of the area, which at present has not been shown.

Please note that the information contained in this letter represents an officer's opinion and is without prejudice to further consideration of this matter by the Development Control section or to the Council's formal decision.

If you have any queries about the above letter or the attached document please do not hesitate to contact Gideon Whittingham on **020 7974 5180**.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Gideon Whittingham  
Senior Planning Officer  
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