

Application ref: 2019/2408/P  
Contact: Mark Chan  
Tel: 020 7974  
Date: 15 October 2019

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

Phone: 020 7974 4444

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

KS DESIGN  
1 Challney Gardens  
Leagrave  
Luton  
LU4 8QQ  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**98 Boundary Road**  
**London**  
**NW8 0RH**

Proposal:  
Change of use to existing basement from retail (Class A1) to Offices (Class B1), creation of front light well, installation of glass roof and alterations to rear door at basement level.

Drawing Nos: Heritage Statement, 279.19/030, 279.19/031, 279.19/020, 279.19/021, 279.19/022, 279.19/023, 279.18/001, 270.18/105, 279.19/010, 279.19/011, 279.19/012 and 279.19/013

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:

Drawing Nos: Heritage Statement, 279.19/030, 279.19/031, 279.19/020, 279.19/021, 279.19/022, 279.19/023, 279.18/001, 270.18/105, 279.19/010, 279.19/011, 279.19/012 and 279.19/013 (Last received 04/07/2019)

Reason:

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

- 4 Before the relevant part of the work is begun, detailed drawings including sections at 1:10 of the hereby approved railings to surround the lightwell, shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall be carried out in accordance with the details thus approved.

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.

Informative(s):

- 1 Reasons for granting permission:

Permission is sought for the change of use to the existing basement from Retail (Class A1) to Office (Class B1), the creation of a front light well, the installation of a glass roof and alterations to rear door at basement level. The application site comprises a three-storey mixed-use end-terrace building with the ground and basement being Retail use and upper floors being residential. The building is within the St John's Wood Conservation Area.

The ground and basement level of the application site is a (Class A1) sandwich shop but the basement level is mostly vacant. The site is located outside of local centres and the Central London area. There is no objection to the loss of the A1 floorspace in policy terms as the A1 use would still be maintained on ground level and the existing percentage of retail and non-retail uses within the frontage would be unaltered. Given that the space in basement level is unused, the creation of office space would maintain and enhance the function, viability and amenity of the area by creating more workspace.

The proposed front lightwell measures 3.7m long by 1.5m wide. Whilst the lightwell would consume much of the front forecourt, lightwells are part of the prevailing character and can be found at several properties along the street

and would not harm the architectural character of the building, the character and appearance of the surrounding conservation area, or the relationship between the building and the street. Internally it is not proposed to increase the depth of existing basement and therefore a Basement Impact Assessment report was not requested in this instance.

The lightwell would be bounded by metal fencing which form part of the established street scene. In general, the fencing in the area have decorative finials and the proposed fencing design would be consistent with the local context. The wide pavement would allow ample space for the proposed fencing to be accommodated without giving the street an unduly cramped or cluttered appearance. A condition for the details of the fencing is included to safeguard the character and appearance of the host property and wider Conservation Area.

It is also proposed to install a glass roof and a new glazed door and transom at basement level. The proposed roof and door would be in an obscured location, not be observable from the public realm.

It is considered that the proposed works would not cause harm to the visual or residential amenities of nearby and neighbouring properties.

No objections have been received prior to making this decision. The site's planning history and relevant appeal decisions (including appeal ref. APP/X5210/A/11/2155448) were taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, A5, TC3, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the provisions of the National Planning Policy Framework 2019.

- 2 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).
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope  
Chief Planning Officer