

Application ref: 2019/5540/P
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Date: 2 October 2020

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Regeneration and Planning
London Borough of Camden
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Clifford Rance Associates
Lodge Place
Great Chart
Ashford
TN26 1JL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
5B Camden Road
London
NW1 9LG

Proposal:

Change of use of 1st and 2nd floors from office (Class B1) to a 3-bedroom self-contained residential unit (Class C3)

Drawing Nos: Site location plan (unnumbered); Ex 01; p 01; Cover letter (Clifford Rance Associates); Planning application statement (Clifford Rance Associates); Air Quality Assessment - July 2020 (Arnold Settlement Trust)

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 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan (unnumbered); Ex 01; p 01

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

- 3 Prior to commencement of development, full details of the mechanical ventilation system including NO₂ filtration shall be submitted to and approved by the local planning authority in writing. Details should include all measures taken to protect internal air quality including but not limited to:
 - a. air inlets and system exhausts locations; and
 - b. manufacturers' details of any filtration system on the mechanical ventilation intake, with an accompanying maintenance regime.Air inlet locations should be located away from busy roads and any boiler stacks and as close to roof level as possible, to protect internal air quality.

The development shall thereafter be completed and maintained in accordance with the approved details. The new residential unit shall be not be occupied prior to the installation of the approved system.

Reason: To protect the amenity of future occupants in accordance with policy CC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission-

The Camden Local Plan considers housing to be a priority land use in the borough. However the proposed change of use would result in the loss of vacant B1 office space. Loss of B1 space must be justified through the submission of marketing evidence for a continuous 2-year period. The applicants have demonstrated that the space has been hard to let and that continuous marketing has taken place since October 2018 which has included online advertising, to let boards and a flexible view taken by the owners to the market rent. Over a 19-month period, 12 viewings were carried out with 3 non-proceeding offers received. The Council's Economic Development team was consulted and agreed that on balance, given the evidence of marketing now available, the Council should take a flexible approach in accepting 21 months of evidence. Thus in light of policies E2 and H1, the loss of offices and creation of new housing is considered acceptable here.

The surrounding area is of mixed-use character, with existing residential uses noted at the upper floors of the adjoining Barnes House at 7-15 Camden Road. The proposed 88sqm floorspace exceeds the minimum 84sqm space standard required for a 3bed 4 person unit. The unit would provide dual aspect to both the front and rear, and whilst outlook to the rear would be to commercial uses, the front aspect would be to the street. The proposal is considered to provide a satisfactory overall standard of accommodation. The unit is less than 100sqm so a financial contribution to affordable housing is not required.

Local Plan policy CC4 requires developments take into account the impact of air- quality including consideration of the exposure of occupants to air pollution. The site is located in an area of high NO₂ pollution and the applicant has provided an air quality assessment in support of the application. The Council's sustainability officers have advised that mechanical ventilation with NO₂

filtration would be needed in order to safeguard the amenities of future residential occupants. A condition would be attached requiring full details of the ventilation with filtration system be approved by the Council. Air inlets must be located away from the road and as close to roof level as possible in order to reduce pollution intake.

No external changes are proposed by this application. Nos 10-12 immediately to the rear are in commercial use and this scheme would not result in overlooking to existing residential uses. Overall there would be no direct impact to the amenity of surrounding residential occupants.

Local Plan policy T2 requires all new developments in the borough including conversions to be car-free. No off street parking is proposed by this application. However a S106 legal agreement would be required to restrict access to parking permits for future occupants. The proposed 3-bed unit would require the provision of 2 cycle parking spaces. Given the site constraints, accessible onsite cycle parking would not be feasible and as such a contribution of £1,266.67 would be secured by S106 legal agreement to provide designated cycle parking in an onstreet bike hangar.

No objections were received prior to making this decision. The planning history of the site and surrounding area were taken into account. Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such the proposal is in general accordance with policies H1, H7, E2, A1, CC4, T1 and T2 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2019.

- 2 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.
- 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 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).
- 5 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Director of Economy, Regeneration and Investment