

Application ref: 2019/3538/P
Contact: John Diver
Tel: 020 7974 6368
Date: 21 February 2020

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

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www.camden.gov.uk/planning

PD Planning UK Ltd
21
Eskdale Gardens
Purley
CR8 1ET

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**387 Kentish Town Road
London
NW5 2TJ**

Proposal: Erection of mansard roof extension and alterations as approved under planning permission 2018/0204/P plus erection of a ground, first and second floor rear extension, all to provide 1 no. two bed flat, 1, no one bed flat and 1 no. two bed duplex flat and retention of retail unit (A1) at ground floor

Drawing Nos: (Prefix: KT_PL_) 201, 202, 203, 204, 206, 207 (all dated 28/06/19); and 208 rev A, 209 rev A and 211 rev A (all dated 29/06/19). Supporting: Planning statement prepared by PDPlanning UK Ltd and Air Quality Assessment rev B dated 02 July 2018

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 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: (Prefix: KT_PL_) 201, 202, 203, 204, 206, 207 (all dated 28/06/19); and 208 rev A, 209 rev A and 211 rev A (all dated 29/06/19).
Supporting: Planning statement prepared by PDPlanning UK Ltd and Air Quality Assessment rev B dated 02 July 2018

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

- 4 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of development (excluding demolition and site preparation works), full details of the mechanical ventilation system, including air inlet locations and sealed windows, shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from busy roads and the boiler stack and as close to roof level and the rear façade as possible, to protect internal air quality. Details of suitable measures to provide adequate purge ventilation in respect of indoor air quality should be included for the spaces with sealed windows. The development shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To protect the amenity of residents in accordance with the requirements of policy CC4 of the London Borough of Camden Local Plan 2017 and policy 7.14 of the London Plan 2016.

- 6 Prior to occupation evidence that an appropriate NO₂ scrubbing system on the mechanical ventilation intake has been installed and a detailed mechanism to secure maintenance of this system should be submitted to the Local Planning Authority and approved in writing.

Reason: To protect the amenity of residents in accordance with the requirements of policy CC4 of the London Borough of Camden Local Plan 2017 and policy 7.14 of the London Plan 2016.

- 7 Prior to commencement of construction works, a Construction Method Statement shall be submitted to and approved by the local planning authority in writing for a management scheme whose purpose shall be to control and

minimise emissions of pollutants from and attributable to the construction of the development.

The Construction Method Statement should include a risk assessment and a method statement in accordance with the 'Mayor's Control of Dust and Emissions during Construction and Demolition' SPG. The Statement shall set out the secure measures which will be put in place.

The details and measures contained in the approved and Construction Method Statement must be fully implemented to the Council's satisfaction.

Reason: To safeguard the amenity of adjoining premises and the area generally in accordance with the requirements of policies A1 and CC4 of the London Borough of Camden Local Plan 2017.

- 8 A 1.8 metre high screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected along the South Western side return of the upper floor rear roof terraces hereby approved prior to first use of the roof terraces. The development shall thereafter be completed in line with the details approved and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission-

Planning permission was previously granted for the erection of roof and ground floor rear extensions and the associated conversion of upper floors to form a three bedroom self-contained flat (ref. 2018/0204/P). This permission remains extant. Permission is now sought for further changes to the property to include additional rear extensions at 1st and 2nd floor levels with terraces above and a larger extension at ground floor, all in association with the conversion of the entire property to no.3 flats as well as a retained retail unit at ground floor.

The use of the upper floors as residential and the loss of the former beauty salon (sui generis) at 1st to 3rd floor levels has been established and is not objectionable. At ground floor level, the scheme would include the change of use of the rear half of the existing shop to residential. The unit is within the designated Kentish Town centre, on a secondary frontage. However, during the site visit it was noted that this rear area of the site was not publicly accessible and was used primarily for ancillary storage space. Although the retained shop unit would be modest in size (27sqm), it would retain its presence within the frontage and could still viably host a range of retail uses. It is noted that consent was granted for a similar arrangement at the adjoining property at no.385 (ref. 2014/3286/P) and that this commercial unit remains occupied / viable. Overall the loss of the rear section of the ground floor is not considered to harm the character, function or viability of the centre and so is

accepted.

The proposed demolition of existing and replacement extensions are not considered harmful to the character and appearance of the host building, terrace or wider area. Along the row, original gardens have almost completely been infilled at ground level and properties feature rear extensions to upper floors to varying depths and styles. At ground floor level, the infilling proposed would thus have a negligible impact upon character. At first floor and second floor levels a replacement full width extension is proposed. Whilst this might be resisted in other circumstances where there is an established pattern of development, here the depths proposed would remain subordinate to the host building and the extension would not interrupt any regular rear building line. It is also noted that the rear of the building is visible from the upper floors of the neighbouring building only, as to the North is a public house with no facing windows and to the west the land levels drop down to the railway cutting. Whilst this level of extension might be resisted elsewhere, even locally, in this instance no harm is identified. As no harm is identified and the works would facilitate the optimal use of the site for residential purposes, they are considered acceptable.

As an end of terrace property, the proposed extensions would only cause potential impacts to the adjoining property to the South West. The proposed extensions would extend up to 2.2m along this shared boundary at first and second floor levels. Whilst the upper floors of this property are in residential use, this depth of extension would not be considered to cause a harmful loss of outlook or loss of light. New terraces are proposed, however, subject to an appropriately designed screens being erected along the shared boundary (secured by condition) there would be no loss of privacy.

- 2 The works would result in the creation of no.3 self contained flats, including 2x 2bed and 1x 1bedroom units. This mix would accord with the adopted dwelling size priority table / policy H7. All of the units would be dual aspect with reasonable outlook and a proportion of glazing to all habitable rooms. They would also each include external amenity space in the form of rear terraces or courtyards. One of the units (at 2/3rd floor levels) would be approximately 5sqm under the DCLG minimum internal area for a 2 bed unit with 2 storeys (min.79sqm). Given that the units would otherwise offer a good standard of accommodation, are located within a town centre and the unit in question features a large private terrace, the units are still considered to provide a suitable standard of accommodation. Records demonstrate that the local area is subject to poor air quality and the submitted air quality assessment identifies that mitigation should be secured. Conditions are therefore recommended for these details to be provided.

Although transport officers confirm that a full construction management plan would not be necessary, given that the site is located on a TfL red route some control of construction traffic is necessary. A relevant condition for the submission of a construction method statement is recommended. The new units would need to be secured as car-free, this would be secured as part of a s106 agreement. The development would not provide dedicated onsite cycle storage, which is contrary to local policy requirements. It is however noted that such provision would be difficult given the limited ground floor area and

presumption in favour of retention of the retail unit. As the building is highly accessible by public transport there is no objection in this instance.

No objections were received prior to making this decision. The site's planning history and relevant appeal decisions were taken into account when coming to this decision

As such, the proposed development is in general accordance with policies H1, H6, H7, CC4, A1, D1, T1, T2, TC2 and TC4 of the Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the London Plan 2016; and the National Planning Policy Framework 2019

- 3 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 2410) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.
- 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.
- 5 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).
- 6 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 7 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.

- 8 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 9 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 10 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.

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 blue rectangular background.

Daniel Pope
Chief Planning Officer