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# Planning, design and access statement

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329-333 Kentish Town Road, London, NW5 2TJ

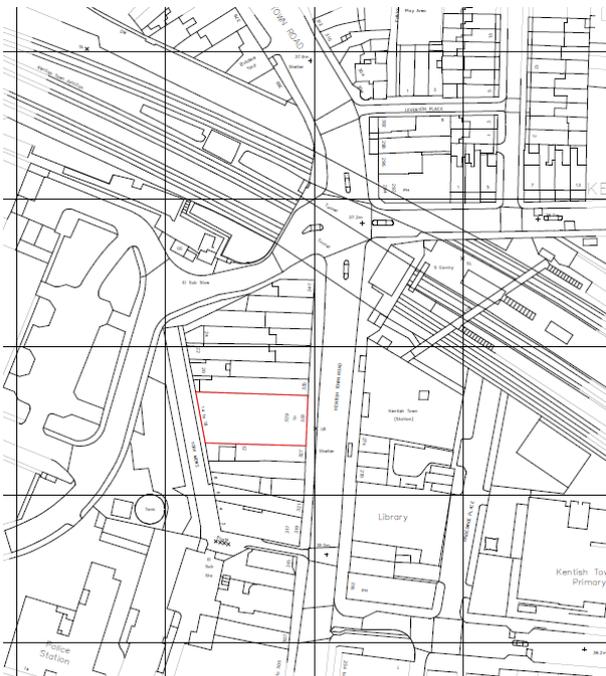
## 1. Introduction

- 1.1. This planning, design and access statement has been prepared on behalf of our client, Medley Assets Ltd, in support of a planning application relating to 329-333 Kentish Town Road, London, NW5 2TJ.
- 1.2. The proposed development relates to the partial lowering of the existing basement. The proposal will create more usable space at the basement level improving on the existing restricted head height. The extent of lowering ranges from 560mm to 930mm (total) resulting in improvements to the head height from 270mm to 730mm.
- 1.3. This statement has been set out under the following headings:
- Section 2 – Site, surrounds and planning history;
  - Section 3 – Proposal;
  - Section 4 – Planning policy framework;
  - Section 5 – Planning considerations;
  - Section 6 – Conclusions.
- 1.4. This statement should be read in conjunction with the following documents:
- Application and CIL forms prepared by Savills Planning;
  - Location plan and Site location plan prepared by HUT Architecture;
  - Existing and proposed drawings prepared by HUT Architecture;
  - Flood and drainage report prepared by Herrington Consultants;
  - Basement impact assessment prepared by Entuitive.

## 2. Site, surroundings and planning history

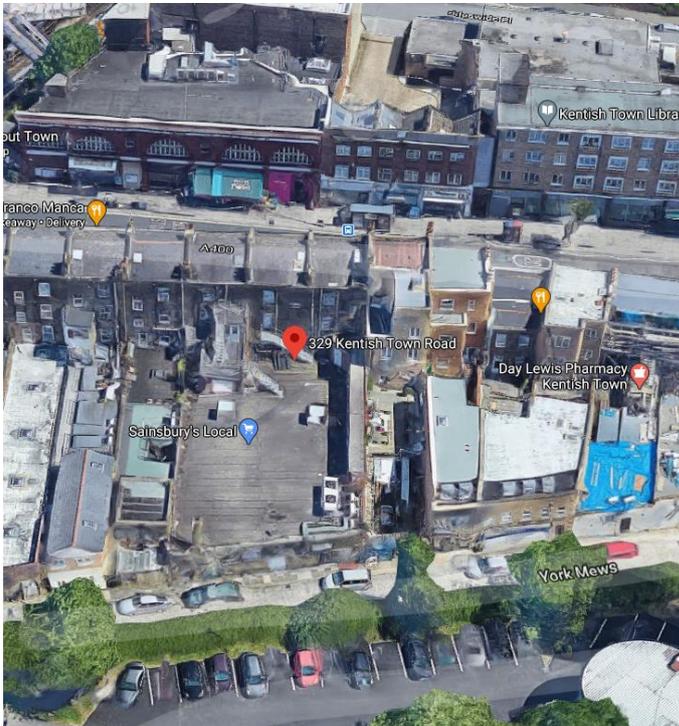
### Site Context

- 2.1. The proposals relate to 329-333 Kentish Town Road. The application site is located in the London Borough of Camden on the western side of Kentish Town Road between Regis Road and York Mews. The property has a frontage onto York Mews at the rear.



*Location plan identifying the site, Kentish Town Road and Kentish Town Station and photograph of the site*

- 2.2. The building comprises full basement and ground floor levels with access to the ground floor both via Kentish Town Road and York Mews. There are three upper levels to the Kentish Town Road frontage (first to third floor levels). The ground floor presents a modern shopfront to Kentish Town Road and the upper floors are more traditional in appearance comprising brick. The roof is pitched comprising tile with chimney stacks between plots. The ground floor to the rear is in brick with several doors and windows onto York Mews.



*3D image illustrating the rear of the site*

- 2.3. The basement and ground floors of 329-333 Kentish Town Road are in retail use and currently occupied by Sainsbury's. The main customer area is located at ground floor level and ancillary storage at basement level. The first to third floors of 329-331 Kentish Town Road were previously used as ancillary office, staff facilities and storage for Sainsbury's (ancillary to retail) however these are now vacant (some 5 years) and are in a poor condition. The first to third floors of 333 Kentish Town Road are in use as a dentist.

## **Access**

- 2.4. In terms of access, while there is access to the basement and ground floors from York Mews, Sainsbury's is serviced from Kentish Town Road and the rear access on York Mews is largely unused in terms of the retail use. The upper floors are currently accessed internally from the rear of the shop or via York Mews utilising the enclosed access way located at first floor albeit this is currently blocked up.
- 2.5. The site has excellent accessibility and is located less than 100 feet from Kentish Town Underground and National Rail Stations. There are numerous bus stops operating frequent bus services on Kentish Town Road. The PTAL of the site is 6a (excellent).

## **Surrounding Context**

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

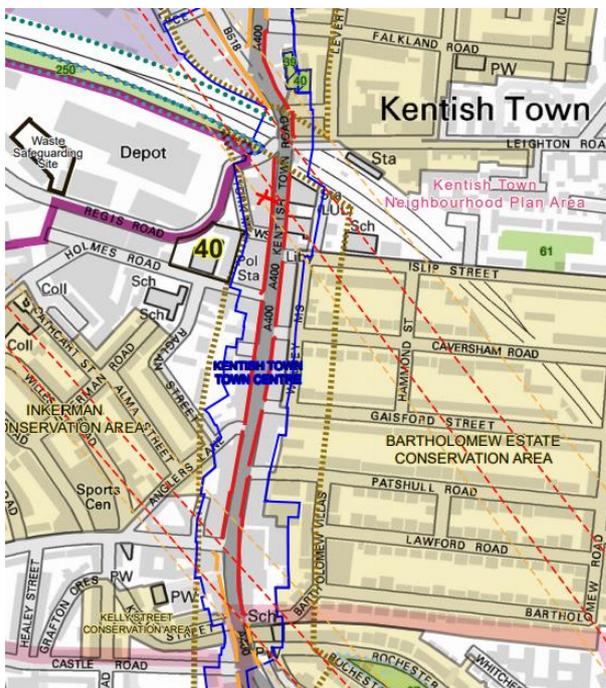
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## Planning Designations

- 2.7. According to the London Borough of Camden proposals map, the following allocations apply to the site:
- Kentish Town Centre (Primary Protected Frontage to Kentish Town Road)
  - Archaeological Priority Area
- 2.8. The property is not listed, nor does it lie within a Conservation Area.



Excerpt from Camden's Planning Policy Map

## Planning History

### Application site

- 2.9. The following records relate to 329-333 Kentish Town Road:
- Ref: 2009/3202/P – Planning permission was granted on 24 August 2009 for 'Installation of one new dual temperature condenser unit to the roof of shop at first floor level (class A1).'
  - Ref: 2009/1129/P - Planning permission was granted on 11 May 2009 for 'Installation of new shop front with ATM.'
  - Ref: 8701182 – Planning permission was granted on 16 September 1987 for 'Installation of a goods lift at the rear of the property.'

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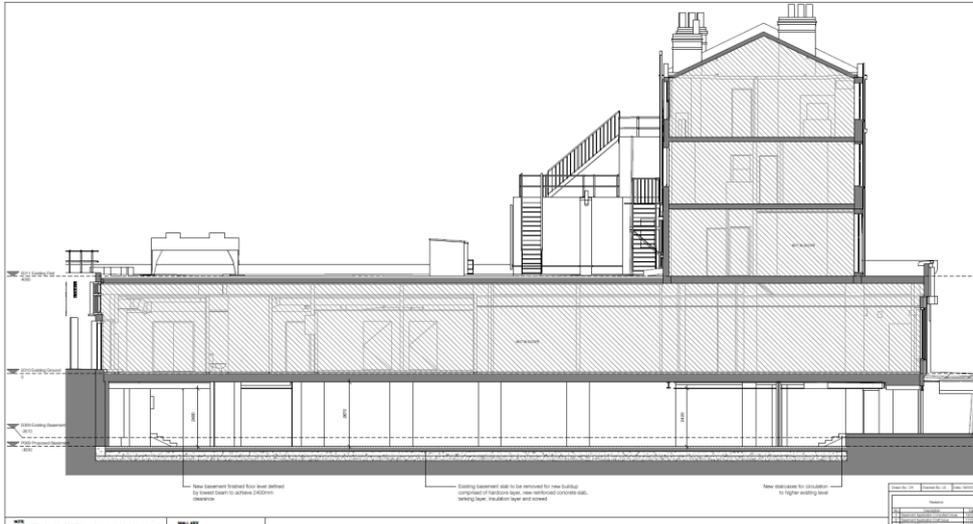


- Ref: 2020/4378/P – Draft approval granted on 22 January 2021 for ‘Erection of 2 storey extension above existing ground floor, facing York Mews and change of use of upper floors from ancillary retail floorspace (Class E) to residential (Class C3) to create 5 flats including alteration to ground floor elevation facing York Mews and relocation of plant.’



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*Excerpt from the proposed long section drawing showing the proposed level of basement*

## 4. Planning policy framework

### Development Plan

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that planning applications are determined in accordance with the development plan for the area unless any material considerations indicate otherwise. This legal requirement is reiterated in the introduction to the National Planning Policy Framework (NPPF).
- 4.2. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 the 'development plan' is:
- The London Plan (2021);
  - Camden's Local Plan (2017).

### National Planning Policy Framework

- 4.3. The National Planning Policy Framework (2019) (NPPF) is a material consideration; it sets out the Government's planning policies for England and how these should be applied. The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development (paragraph 7) which has three overarching objectives: economic, social and environmental (paragraph 8). At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10). It sets out that planning policies and decisions should guide development towards sustainable solutions, taking into account local circumstances which reflect the character, needs and opportunities of each area.
- 4.4. The NPPF introduces a new section (11) titled 'Making effective use of land' which sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Paragraph 118 states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. This paragraph also states that planning policies and decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

## 5. Considerations

### Planning

- 5.1. The main planning consideration is “basement.”
- 5.2. There is no change to:
- Land use – the existing uses will be retained and there is no change in floorspace.
  - Design – there will be no external manifestation of the proposals.
  - Amenity – there will be no external manifestation of the proposals. Amenity in relation to the basement will be considered below.
  - Transport and servicing – there is no change in floorspace and the existing access and servicing arrangements will be retained.

### Design

- 5.3. There will be no changes to the existing external access arrangements.

### Access

- 5.4. There will be no changes to the existing external design of the building.

### Basement

- 5.5. The following policy from Camden’s Local Plan is relevant to basements:
- Policy A5 Basements
  - Camden Planning Guidance : Basements, January 2021
- 5.6. There is an existing basement at the property and the proposals only seek to lower parts of this existing basement level between 560mm and 930mm.

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The proposal should not comprise harm to:		
Policy	Compliance	Applicant assessment / notes
a. neighbouring properties;	Complies.	The application is supported by a Basement Impact Assessment which makes an assessment of the proposals impact on neighbouring properties.
b. the structural, ground, or water conditions of the area;	Complies.	The application is supported by a Flooding and Drainage Report which makes an assessment of the proposals impact on neighbouring properties.
c. the character and amenity of the area;	Complies.	The proposal is to partially lower the existing basement level only. There will be no external manifestations of this proposal and therefore will not be visible within the surrounding area.
d. the architectural character of the building; and	Complies.	The proposal is to partially lower the existing basement level only. There will be no external manifestations of this proposal and therefore will not have any impact on the appearance of the existing building.
e. the significance of heritage assets.	Complies.	The proposal is to partially lower the existing basement level only. There will be no external manifestations of this proposal and the site is not a listed building nor located in a conservation area.
The siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. Basement development should:		
Policy		Applicant assessment / notes
f. not comprise of more than one storey;	Complies.	The proposal is to partially lower the existing basement level only. No additional basement levels are proposed. The lowering is minimal ranging from 560mm to 930mm.
g. not be built under an existing basement;	Complies.	The proposal relates to an existing basement only. No additional basement levels are proposed.
h. not exceed 50% of each garden within the property; <i>“applies to gardens as they currently exist and not the gardens of the proposed development”</i>	Complies.	The proposal relates to an existing basement only. There is no garden within the property.
i. be less than 1.5 times the footprint of the host building in area;	Complies.	The proposal relates to an existing basement only. There is no extension to the footprint of the existing basement.
j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;	Complies.	The proposal relates to an existing basement only. There is no extension to the footprint of the existing basement.
k. not extend into or underneath the garden further than 50% of the depth of the garden;	Complies.	The proposal relates to an existing basement only. There is no extension to the footprint of the existing basement.

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l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and	Complies.	The proposal relates to an existing basement only. There is no extension to the footprint of the existing basement.
m. avoid the loss of garden space or trees of townscape or amenity value.	Complies.	The proposal relates to an existing basement only. There is no extension to the footprint of the existing basement. There is no garden space or trees on the site.
Applicants are required to demonstrate the following:		
n. do not harm neighbouring properties, including requiring the provision of a Basement Impact Assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight';	Complies.	The application is supported by a Basement Impact Assessment which makes an assessment of the proposals impact on neighbouring properties.
o. avoid adversely affecting drainage and run-off or causing other damage to the water environment	Complies.	The application is supported by a Flooding and Drainage Report which makes an assessment of the proposals impact on neighbouring properties.
p. avoid cumulative impacts;	Complies.	The scope of the proposal is limited to lowering the floor of the existing basement level. This will not result in any cumulative impacts.
q. do not harm the amenity of neighbours;	Complies.	There will be no external manifestation of the proposals. There will be no operational amenity impacts to neighbours. Impacts to neighbouring properties will be minimised as far as possible during the construction stage. A CMP pro-forma is being submitted with the application.
r. provide satisfactory landscaping, including adequate soil depth;	Complies.	The scope of the proposal is limited to lowering the floor of the existing basement level. There will be no external manifestation of the proposals. Due to the nature of the existing site there are no opportunities for landscaping.
s. do not harm the appearance or setting of the property or the established character of the surrounding area;	Complies.	The proposal is to partially lower the existing basement level only. There will be no external manifestations of this proposal and the site is not a listed building nor located in a conservation area.
t. protect important archaeological remains; and	Complies.	The proposal is to partially lower the existing basement level only. The lowering is minimal ranging from 560mm to 930mm.
u. do not prejudice the ability of the garden to support trees where they are part of the character of the area.	Complies.	The scope of the proposal is limited to lowering the floor of the existing basement level. There will be no external manifestation of the proposals. The footprint of the existing basement is not altered. There are no trees on the site nor is there any opportunities to introduce these.
A CMP pro-forma is being submitted with the application.		

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5.7. For the reasons set out above, it is concluded that the proposed development complies with Policy A5.

## 6. Conclusions

- 6.1. This statement has demonstrated compliance with the 'Development Plan' which comprises the London Plan (2021) and Camden's Local Plan (2017). It also confirms that there are no changes to the existing design or access arrangements.