

Application ref: 2021/0072/P  
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**Development Management**  
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Mr Aluin Mallinson  
82 Southwark Bridge Road  
London  
SE1 0AS

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**158 Kentish Town Road**  
**London**  
**NW5 2AG**

Proposal:

Change of the use of floorspace within rear ground, first and second floor from Non-Residential Educational Use (F1) to flexible Office Use (Class E).

Drawing Nos: Site location plan, BBL E00, E01, E02, P00 rev. V2, P00-C, P01, P02, Marketing Statement by Babel Studios dated February 2021, Planning Statement by Babel Studios dated January 2021.

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 Site location plan, BBL E00, E01, E02, P00 rev. V2, P00-C, P01, P02, Marketing Statement by Babel Studios dated February 2021, Planning Statement by Babel Studios dated January 2021.

Reason:

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

- 4 Notwithstanding the provisions of Class E of the Schedule of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall not be used other than for activities falling under Class Eg(i)-(iii).

Reason: To ensure that the future occupation of the building does not adversely affect the immediate area by reason of, noise and disturbance, traffic congestion or loss of employment space in accordance with policies G1, CC1, D1, A1, E1 or T1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Reasons for granting permission. [Delegated]

The application relates to a three-storey property on the eastern side of Kentish Town Road. The building is not listed nor is it located in a Conservation Area, although the Baltholemew Estate Conservation Area adjoins the site to the rear.

The site is located in the Town Centre of Kentish Town, but there are no further

planning designations - the premises is not in a Growth Area.

The ground floor front is occupied by Ace Dental. The application relates to the remainder of the property: ground floor rear, first floor and the small second floor.

The gross internal area is 722sqm.

Planning permission is sought for change of use of this accommodation from Class F1 Education (previously D1) to Class E Office (previously B1a). No external works are proposed.

The property was historically in office use and was built for that purpose. In 2011 planning permission was granted for change of use to language school (ref. 2011/1841/P). The school operated for a period of 7 years and went out of business in 2018. The property was marketed to potential alternative D1 users until 2020. As confirmed by the policy team, this marketing exercise was in line with the Employment CPG. The exercise allowed a search to take place for other similar types of use. It is noted that the annual rent quoted, while reasonable for a language school, would be unlikely to be unaffordable for other types of community use, which are often charitable or religious in nature. No organisation, apart from one cited in 2019, came up with a funding model that would allow the building to remain in Class F1/D1 use. The 2019 enquiry related to the use of the premises for religious services, however the owner considered this unsuitable given the noise disruption that would result and the impact of large numbers of people congregating around the premises at specific times. In addition, significant internal re-planning would be needed to rationalise the cellular layout, and certification in terms of health and safety and fire would need to be secured.

Under the current proposals the cellular layout would be largely retained and would comprise 18-20 flexible units for micro businesses/ sole traders / self-employed persons, which could also be a community benefit in that it would provide convenient workspace for the local community.

There is a unit on the second floor of the property which has some residential features however this would be considered ancillary F1/ D1 rather than C3 accommodation as it is accessed via the school floors with no independent access. Also, it is illuminated by roof lights rather than windows. Under the proposals, this would be used as an office unit.

It is considered that there is support within policy E2 for these proposals and that the change from F1/D1 is also acceptable in the context of C2g(ii) as the marketing exercise demonstrates that there is no reasonable prospect of community use of the facilities.

Class E is a broad use class with a number of subclasses that could potentially be harmful in this location, and which have not been justified in land use policy terms. As a result a condition is attached to ensure the use is restricted to Class Eg(i)-(iii).

In line with Policy T1 of the Local Plan, cycle parking needs to be provided in accordance with the standards set out in the London Plan. For office uses the requirement is for 1 space per 75 sqm for long stay (employees) and 1 space per 500 sqm for short stay (visitors). The gross internal area of 722 sqm gives rise to a requirement for at least 10 long stay spaces and 1 short stay space. Revised plans have been received to indicate the location of these spaces at ground floor level, which would ensure convenient, secure, step-free parking. The cycle parking layout details are in accordance with guidance and acceptable.

4 (contd.) No off-street car parking is currently provided and none is proposed.

The site is located with a Controlled Parking Zone CA-M which operates between 8.30am and 6.30pm Monday to Friday. Given the very small size of the businesses that would be located at the property and highly accessible nature of the site, it is considered unnecessary to secure this particular development as on-street Business parking permit free by means of a Section 106 Agreement.

Deliveries and collections would be from an existing loading zone on the High Street near the entrance. There is also access via Patsull Road with trolley available for bulky deliveries. Rubbish would be stored on site and wheeled to the collection point on Patshull Road at collection times. No issues are raised with servicing and deliveries in the context of policy T4.

No mechanical ventilation is proposed as part of this application and no external changes or extensions are proposed. The scheme is not considered to impact on neighbouring residential amenity by way of loss of daylight, privacy, outlook or noise disturbance.

No objections were received prior to making this decision. A single consultation response was received, from the Kentish Town Neighbourhood Forum, who welcomed the additional office space proposed as it would add to the mix of uses on the high street and bring additional workers into Kentish Town who would add to the local economy.

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 nearby Bartholemew Estate 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.

The proposal is in general accordance with policies A1, E2, C2, TC2 and TC4 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2021 and National Planning Policy Framework 2019

- 5 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at [www.camden.gov.uk/cil](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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 positioned in the upper left corner of the page.

Daniel Pope  
Chief Planning Officer