

Application ref: 2020/4633/P
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Date: 30 April 2021

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Norton Mayfield Architects
Unit 7, Harland Works
John Street
Sheffield
S2 4QU
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**4-5 Torriano Mews
London
NW5 2RZ**

Proposal:

Change of use from office (Class B1) to residential to provide 6 flats (Class C3) including alterations to fenestration and addition of rooflights, smoke vent and pv panels.

Drawing Nos:

Existing drawings: 2038-NMA-00-ZZ-DR-B-00001; 2038-NMA-00-ZZ-DR-B-00300 P2; 2038-NMA-00-ZZ-DR-B-00201 P2; 2038-NMA-00-ZZ-DR-B-00200 P2; 2038-NMA-00-ZZ-DR-B-00301 P2; 2038-NMA-00-RF-DR-B-00100 P2; 2038-NMA-00-01-DR-B-00100 P2; 2038-NMA-00-00-DR-B-00100 P2

Proposed drawings: 2038-NMA-00-01-DR-A-10100 P3; 2038-NMA-00-00-DR-A-10100 P4; 2038-NMA-00-ZZ-DR-A-10001 P4; 2038-NMA-00-ZZ-DR-A-10200 P4; 2038-NMA-00-ZZ-DR-A-10300 P3; 2038-NMA-00-ZZ-DR-A-10301 P3; 2038-NMA-00-RF-DR-A-10100 P3; 2038-NMA-00-02-DR-A-10100 P2

Supporting documents: 'Commercial' Valuation Report prepared by Capital Value Surveyors Limited dated 3rd December 2020; HCA Development Appraisal Tool dated 21/09/20; Each estate agents; Rightmove; Design & Access Statement P3 prepared by Norton Mayfield Architects dated November 2020; Planning Statement P3 prepared by Norton Mayfield Architects dated November 2020; Energy statement prepared by EnergyTest dated 21 September 2020; Marketing Report & Recommendations dated 02nd October 2020; Affordable Housing Viability Report prepared by S106 Affordable

Housing

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 Materials to match existing

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 Approved plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing drawings: 2038-NMA-00-ZZ-DR-B-00001; 2038-NMA-00-ZZ-DR-B-00300 P2; 2038-NMA-00-ZZ-DR-B-00201 P2; 2038-NMA-00-ZZ-DR-B-00200 P2; 2038-NMA-00-ZZ-DR-B-00301 P2; 2038-NMA-00-RF-DR-B-00100 P2; 2038-NMA-00-01-DR-B-00100 P2; 2038-NMA-00-00-DR-B-00100 P2

Proposed drawings: 2038-NMA-00-01-DR-A-10100 P3; 2038-NMA-00-00-DR-A-10100 P4; 2038-NMA-00-ZZ-DR-A-10001 P4; 2038-NMA-00-ZZ-DR-A-10200 P4; 2038-NMA-00-ZZ-DR-A-10300 P3; 2038-NMA-00-ZZ-DR-A-10301 P3; 2038-NMA-00-RF-DR-A-10100 P3; 2038-NMA-00-02-DR-A-10100 P2

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

4 Cycle storage

Before the relevant part of the development commences, details of a scheme of landscaping and secure & covered cycle storage area for 12 cycles in the location of the two existing parking spaces, as shown on drawing 2038-NMA-00-00-DR-A-10100 P4, shall be submitted to and approved in writing by the local planning authority.

Prior to the first occupation of any of the new homes, the landscaping shall be completed and the cycle storage installed and made available for use and all such measures shall be permanently retained thereafter.

Reason: To limit the availability of parking, to provide greening and support biodiversity and to ensure the development provides adequate cycle parking facilities in accordance with the requirements of policies T2, A3 and T1 of the London Borough of Camden Local Plan 2017.

5 Energy Efficiency and renewables

The development shall incorporate measures set out in the Energy statement prepared by EnergyTest dated 21 September 2020 hereby approved including reducing overall carbon emissions by at least 35% with at least 16.6% by way of renewable energy technologies. Such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policies CC1 and CC2 of the London Borough of Camden Local Plan 2017.

6 Water efficiency

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.

7 Refuse / recycling storage

Prior to first occupation, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1 and A4 of the London Borough of Camden Local Plan 2017.

8 M4(2) Accessible and adaptable dwellings

Units 01 and 02, as indicated on plan number 2038-NMA-00-00-DR-A-10100 P4 hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reason for granting permission

Policy E2 resists the loss of existing office space unless suitably justified. A marketing report has been submitted which demonstrates that the office floorspace has been marketed since May 2019. While this is less than the two years recommended by CPG, officers consider that this is acceptable in this instance, due to the difficult letting market conditions arising from covid. The Council regards self-contained housing as the priority land-use of the Local Plan and the six additional dwellings would help the borough to meet its housing requirement.

An affordable housing contribution would be required. On the basis of 420sqm GIA of additional housing floorspace proposed, this would result in a requirement for 8% affordable housing. The payment in lieu for affordable housing would be £168,000 (8% x 420 x £5,000). The applicant's viability report has been appraised by BPS. While there is disagreement in relation to certain development assumptions (developer's profit and sales values), it is nevertheless clear that the full payment would not currently be viable. Therefore it has been agreed that the applicant should pay 50% upfront (£84,000) with the remainder as a deferred contribution based on a post-commencement viability assessment, which would be secured by the s106 legal agreement.

The development would provide one 3-bed flat, three two bed flats and two 1 bed flats. Two and three bedroom dwellings are a high priority for market housing and the development includes a mix of large and small homes in accordance with Policy H7. All the flats would meet or exceed the minimum floorspace requirement. The dwellings would provide a good standard of accommodation with all the flats being dual aspect. Given that this is a conversion, the lack of external private amenity space is acceptable. The development would utilise existing refuse storage. There are 3 Eurobins near the entrance to Torriano Mews for the use of all the existing occupiers, both commercial and residential (2 x general refuse and 1 x mixed recycling). Further details of refuse / recycle storage would be secured by condition. The ground floor units would be secured accessible and adaptable, in accordance

with Building Regulation M4(2), by condition. With regards to the other units, it is acknowledged that Part M cannot be applied to a dwelling where step-free access cannot be achieved.

The development involves the addition of two rooflights to both the front and rear elevation as well as a smoke vent and large areas of pv panels to the front elevation. These alterations are considered acceptable and the sustainability benefits of renewable energy are welcomed. The alteration to the fenestration to create the common entrance would be sympathetic to the existing glazing pattern.

The alterations to the property and the conversion to residential would have minimal impact on neighbouring amenity in terms of daylight / sunlight, noise and overlooking.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision.

The site includes 2 allocated parking spaces in the row opposite the building. Policy T2 requires all new development to be car free so these would be re-purposed for landscaping and to accommodate two covered and secure cycle store hangars for 12 cycles. This would meet the requirements of the London Plan. Details of the cycle parking and planting scheme would be secured by condition. The new flats would be secured as car free by s106 legal agreement, which would prevent the occupiers from securing parking permits on the public highway.

An Energy Statement has been submitted which shows an overall reduction in CO2 of 35% including a 16.6% reduction from renewables. This would be secured by condition.

2 Reason for granting permission (continued)

The planning and appeal history of the site has been taken into account when coming to this decision. No objections have been received.

As such, the proposed development is in general accordance with policies H1, H4, H6, H7, D1, C5, CC1, CC2, CC3, E2, T1, T2 and A1 of the Camden Local Plan 2017; and policies SW1 and D3 of the Kentish Town Neighbourhood Plan. The development also accords with the NPPF and the London Plan 2016.

3 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).

4 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 for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

- 5 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.
- 6 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.

- 7 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.
- 8 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 9 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.

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
Chief Planning Officer