

Application ref: 2021/0492/P
Contact: Kristina Smith
Tel: 020 7974 4986
Email: Kristina.Smith@camden.gov.uk
Date: 18 May 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

Stuart Cunliffe
39 Guessens Court
Welwyn Garden City
AL8 6RB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
108-110 Kilburn High Road
London
NW6 4HY

Proposal:

Conversion of third floor at no.108 from solicitor's office (Class E) to 2-bed flat (Class C3), accessed via rear of no.110, and associated alterations to the front and rear elevations plus provision of green roof over existing roof at first floor level
Drawing Nos: Location plan; 300/PD/01; 300/PL/04 (Rev C)

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: Location plan; 300/PD/01; 300/PL/04 (Rev C)

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

- 4 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include-
- i. a detailed scheme of maintenance;
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used;
 - iii. full details of planting species and density.

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CC1, CC2, CC3 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The development hereby approved shall achieve a maximum internal water use of 110 litres/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 and CC3 of the London Borough of Camden Local Plan 2017.

- 6 Before the development commences, details of a secure and covered cycle storage area for 2 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The planning history of the site identifies the lawful use of the 3rd floor unit,

prior to the amendments to the Use Class Order, as Class A2 due to the way that the solicitor's office operated the business, attracting passing trade rather than pre-booked appointments. Unlike Class B1 office space, there is no policy presumption to protect Class A2 space and therefore the partial loss of the Class E unit is acceptable. The proposals would retain a commercial town centre use at ground floor and therefore would not impact on the vitality of the town centre.

Self-contained housing is regarded as the priority land-use of the Camden Local Plan. The Council supports the development of housing within town centres, including above and below shops where this does not prejudice the town centre's function and particularly the ability of the ground floor to be used for town centre uses. The proposal would provide a 2-bed unit that meets space standards and would have good outlook and daylight. 2-bedroom units are regarded as high priority by policy H7 of the Local Plan. The unit would be accessed via an existing residential entrance to the rear of no.110 via the gated Quex Mews. Whilst not a wholly accessible and legible access arrangement, it is considered acceptable on balance.

No affordable housing contribution is sought as, whilst a new unit is being created, the residential floorspace uplift would be below 100sqm.

The proposal would restore the original elevation at first floor to match those properties at 110-114, reinstating brickwork with two sliding sash windows and rendered surrounds. These works represent a welcome improvement to the building that would correct the building's relationship with its neighbours and its contribution to the streetscene.

The new unit would be secured as car free via a S106 legal agreement. There is a lack of space to provide cycle parking and Kilburn High Road is not considered to be an appropriate place for a cycle hangar. Whilst not ideal due to it being accessed via stairs, two spaces could be provided on the existing flat roof to the rear of no.110 where there is already existing cycle parking. This is secured by condition.

A green roof would be provided on the existing first floor flat roof to the rear of no.108 which would improve drainage qualities of the site. Full details will be secured by condition.

The proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

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

As such, the proposed development is in general accordance with policies A1, H1, H6, H7, TC2, T1, T2, D1 and DM1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework.

- 2 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).

- 3 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.
- 4 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.
- 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.

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 above the printed name and title.

Daniel Pope
Chief Planning Officer