

Application ref: 2020/3627/P  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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London  
WC1H 9JE

Phone: 020 7974 4444

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Groupwork  
15A Clerkenwell Close  
London  
EC1R 0AA  
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:  
**9 Parkway**  
**London**  
**NW1 7PG**

Proposal:

Erection of mansard roof extension and change of use from office (B1) to 3 residential units (C3) (1x2-bed; 2x1-bed) at first to third floors with first floor terrace. Change of use of ground floor restaurant (A3) and erection of extensions with integrated terraces ranging in height from one to three storeys (following demolition of existing structures) in association with provision of office (B1a) (with ancillary cafe use) at ground to second floor levels  
Drawing Nos: (Prefix: 274-) 50 (C); 51 (C); 100 (C); 101 (C); 102 (C); 103 (C); 104 (C); 105 (C); 110 (C); 200 (C); 201 (C); 202 (D); 500 (C); 501 (C); 502 (C); 503 (C); 504 (D); 505(D); 506 (C); 510 (D); 600 (C); 601 (C); 602 (C); Design and Access statement (prepared by Groupwork dated July 2020)

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 [and D2 if in CA] 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: 274-) 50 (C); 51 (C); 100 (C); 101 (C); 102 (C); 103 (C); 104 (C); 105 (C); 110 (C); 200 (C); 201 (C); 202 (D); 500 (C); 501 (C); 502 (C); 503 (C); 504 (D); 505(D); 506 (C); 510 (D); 600 (C); 601 (C); 602 (C); Design and Access statement (prepared by Groupwork dated July 2020)

Reason:

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

- 4 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation values  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor, ceiling and wall structures separating different types of rooms/ uses in adjoining dwellings/ premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To protect the residential amenities of future occupiers in accordance with policies A1 and A4 of the Camden Local Plan 2017.

- 5 Prior to use, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant equipment (ASHP) and proposed mitigation measures. The measures shall ensure that the external noise level emitted from plant equipment will be lower than the lowest existing background noise level by at least 10dBA (by 15dBA where the source is tonal) as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with machinery operating at maximum capacity.

Reason: To ensure that the amenity of future residential occupiers of the development are not adversely affected by noise from equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 The designated ancillary cafe/ restaurant area to the front of the building at ground floor level (as shown on drawing no. 274-510 (D)) should be retained in this location as part of the wider office development.

Reason: To ensure that the occupation of the building does not adversely affect the immediate area and the primary retail frontage in terms of its retail function, vitality and viability in accordance with policies TC1, TC2 and TC4 of the Camden Local Plan 2017.

- 7 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.

Informative(s):

1 Reasons for granting permission.

The application involves a comprehensive redevelopment of the site to provide a mixed residential and commercial scheme with ancillary café / restaurant at ground floor level.

The rear part of the site, currently associated with the existing ground floor restaurant use, would be extended with a part two, part three storey extension to provide office accommodation, some of which is reprovided from the main building fronting Parkway. The uplift in flexible employment floorspace is welcomed. The offices would be accessed via a multi-functional ground floor area that functions as a café / restaurant / breakout area for office employees that is also open to the public, therefore retaining an active ground floor that continues to contribute to and support the function of Camden Town Centre. By virtue of the relative floor areas and layouts, the café/ restaurant would take on an ancillary function to the office development. Whilst an office use at ground floor level in a primary frontage does not align with local policy that seeks more active town centre uses at ground floor level, there have been changes to the use class order since the application was submitted which means that once implemented, the commercial part of the development could then change to any use within Class E without planning permission. Likewise, the existing restaurant could be converted into office floorspace without permission. Given the context and fallback position, the loss of an A3 unit and its replacement with B1 is acceptable. A condition will be attached to ensure that the ground floor use continues to have a function that supports the wider town centre.

The proposed mansard extension would continue the established form of roof extension at no.11 and would be sensitively designed so as to complement the Victorian terrace. The character and appearance of the conservation area would be preserved.

In the context of the surrounding built environment, which includes large extensions to non-residential uses, the additional massing of the rear extension would not appear infill the space and not appear as a bulky addition. The office accommodation would receive light through a series of integrated terraces and rooflights. The design is considered to be well-considered and would result in a high quality of office accommodation.

The existing offices would be converted into 3 residential units comprising two 1-beds at first and second floor levels and a 2-bed maisonette at third and fourth floor levels. Two of the units would fall slightly short of the 37sqm space standard for a 1b1p unit; however, the unit would still provide a good standard of accommodation being dual aspect with large windows providing good

daylight and outlook. Furthermore, one of the units would have a relatively large terrace providing private amenity space. Were the original chimney breasts to be removed and the large Victorian staircase replaced then the units could achieve the required 37sqm but on balance it is considered a better outcome to retain the original features of the building.

The mix of units, comprising one higher priority unit and two lower priority units is acceptable on balance. The size of the floorplate would preclude any other size unit and an additional maisonette would involve the provision of an internal stair which would be an inefficient layout.

The units would not benefit from step-free access, however, policy gives flexibility where housing is being created through the conversion of buildings with no lift core.

Given the residential uplift, an Affordable Housing Contribution payment in lieu of £17,596 based on 158sqm GIA would be secured by S106 legal agreement.

- 2 The additional bulk to the rear would be contained within the party walls of existing developments on either side and would not be in close proximity to residential windows. A condition would be attached requiring the details of proposed plant equipment, including an acoustic assessment, prior to installation. The development is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

The proposal would introduce new residential units in close proximity to the Jazz Café, a long-established cultural institution. To help protect the premises from future noise complaints which may pose a risk to its ongoing operation, an Agent of Change obligation will be secured via Section 106. This requires the owner to notify future residential occupants that they are moving into a noisy location and places the responsibility on the incoming development to soundproof. A condition that requires enhanced soundproofing measures to be installed prior to occupation will support this head of term.

The energy and sustainability strategy is welcomed and includes ASHPs, rainwater harvesting as well as pre-fabricated timber construction.

Cycle parking for the offices will be provided at ground floor level and full details will be secured by condition. Due to space constraints, there is no capacity on-site for the 4 residential cycle parking spaces and there is no potential for a bike hangar in the locality. As such, requirement shall be waived in this instance. Short stay cycle parking is already provided directly outside the property in the form of several Sheffield stands. Both commercial and residential uses shall be secured as car-free.

The application site is located in Camden Town centre in close proximity to a very busy junction. Access to the rear of the site is very limited and so the main point of access to the site is likely to be from Parkway. The construction process for this site is expected to be challenging and so it is therefore considered necessary to secure a Construction Management Plan, associated Implementation Support Contribution of £7,564.50 and Impact Bond of £15,000 by means of the Section 106 Agreement in order to ensure that the process is

appropriately managed. A highways contribution is not considered necessary in this instance.

The proposal is considered to preserve the character and appearance of the conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the 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.

- 3 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, A4, C2, C6, E1, E2, T1, T2, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

- 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](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.
- 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 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 9 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.
- 10 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).
- 11 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



Daniel Pope  
Chief Planning Officer