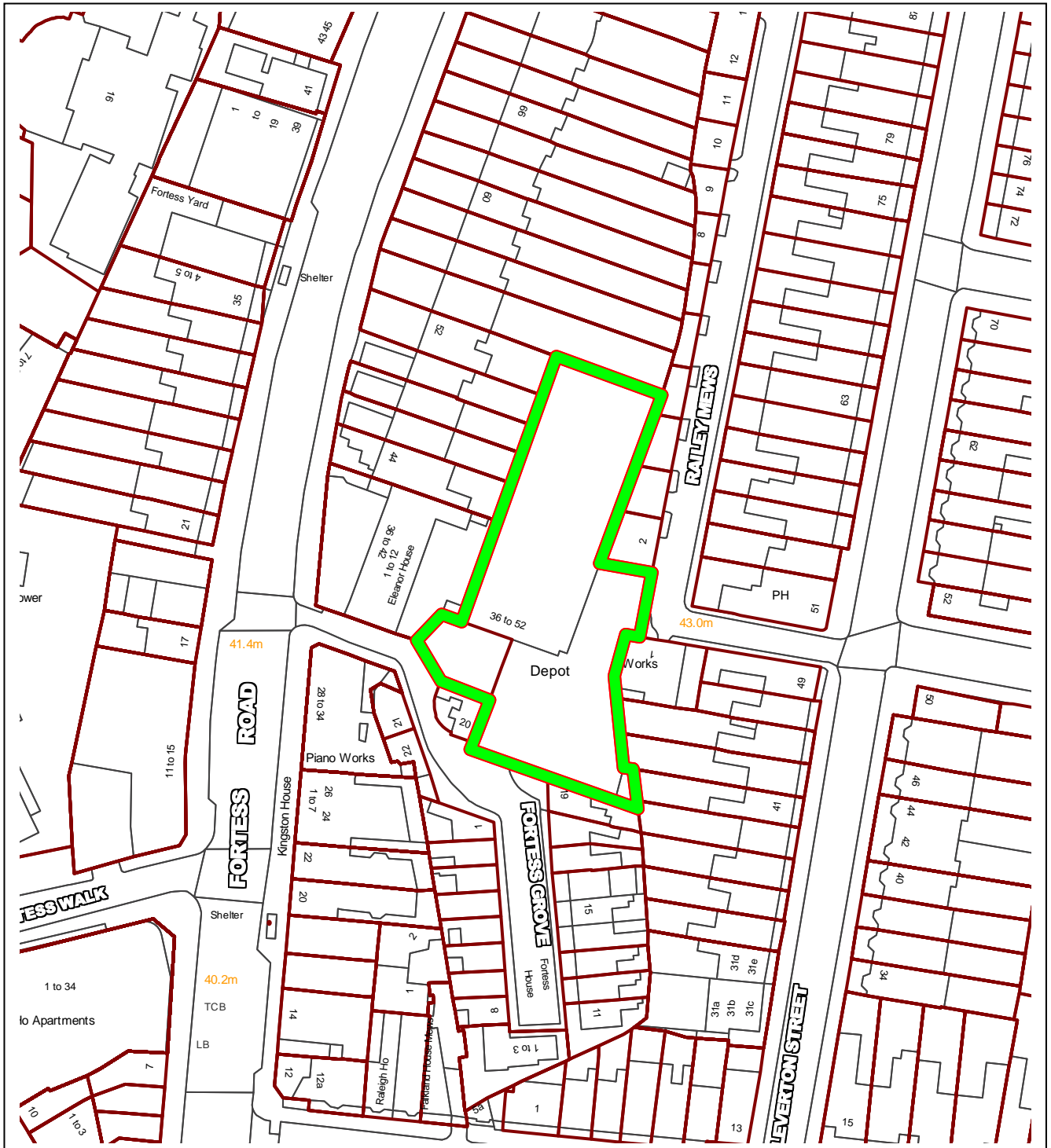


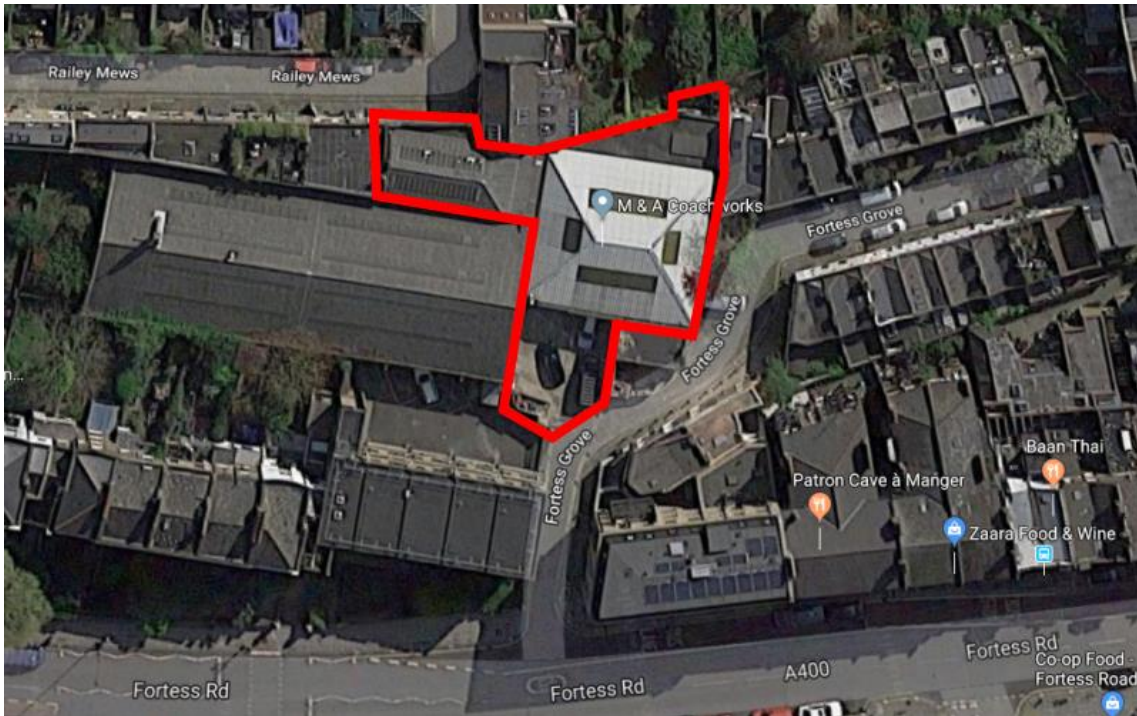
# Workshop Rear of 38-52 Fortess Road / Fortess Grove - 2017/6788/P



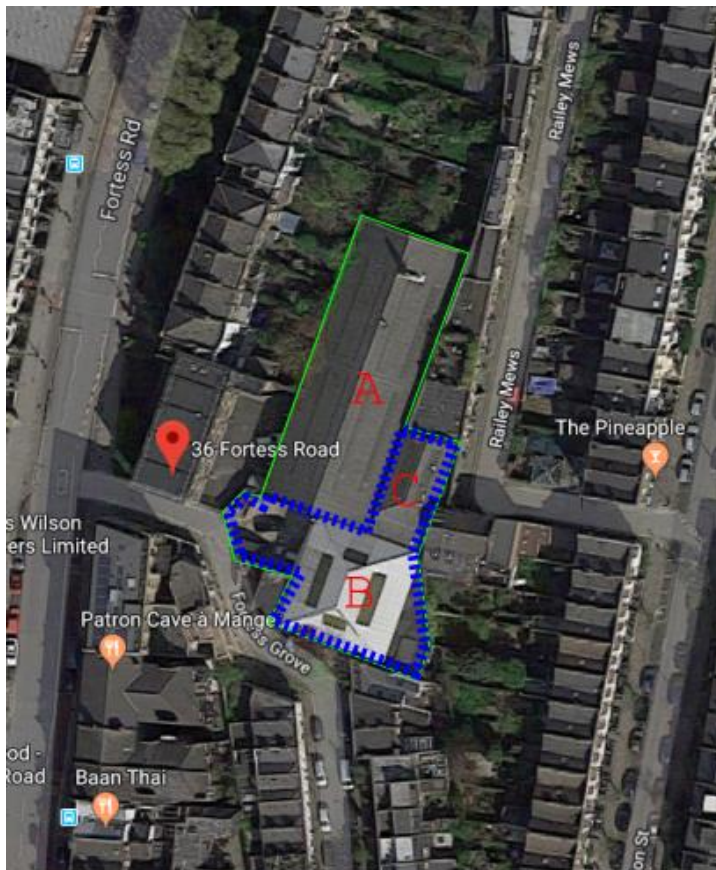
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# Workshops at 36-52 Fortess Road - 2017/6788/P

## 1. Aerial Plan

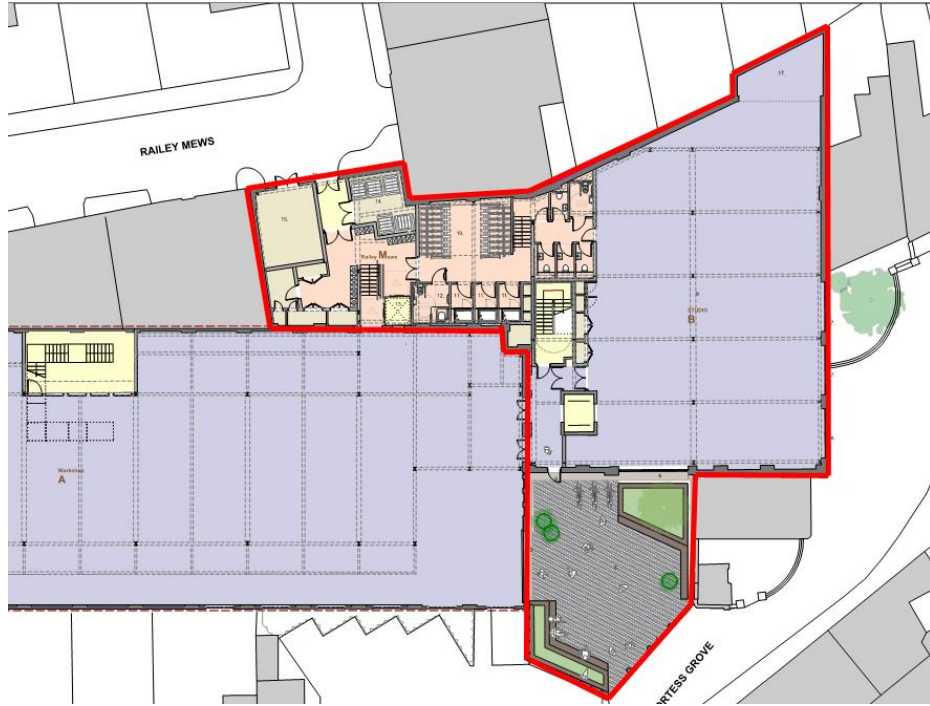


## 2. Building Plan



- Site
- - - - - Development area
- A 'Workshop'
- B 'Studio B'
- C 'Depot'

### 3. Ground Floor Plan

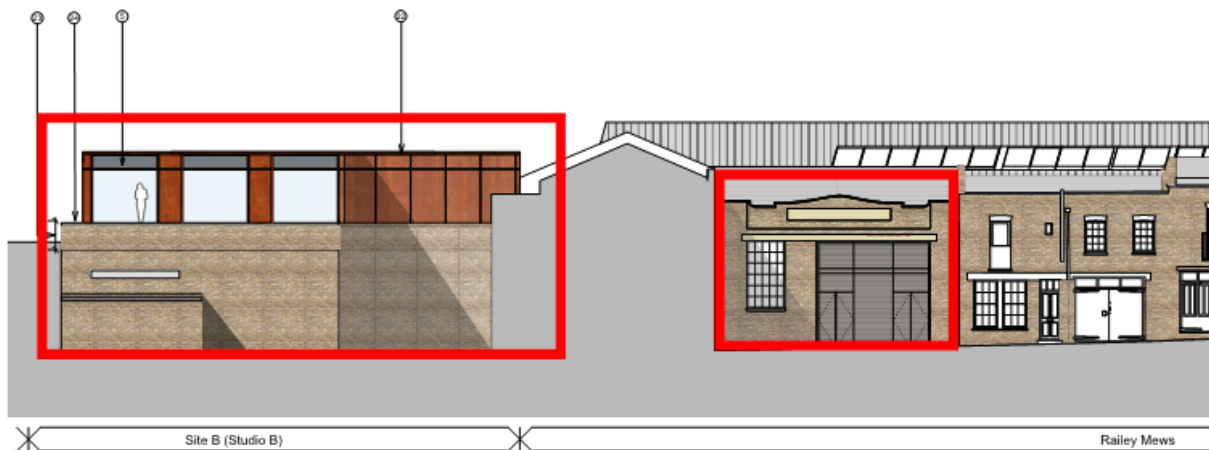


### 4. Front elevation proposed



5.

## 5. Aerial Proposed Rear Elevation – Facing Railey Mews and the rear of Leverton Street (Private views only)



## 6. Approved Scheme (2015/4501/P) CGI



<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>28/02/2018</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	<b>01/02/2018</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Gideon Whittingham			2017/6788/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Workshop Rear of 38-52 Fortess Road Fortess Grove LONDON NW5 2HB			Refer to Draft Decision Notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Works to depot building (Studio B) comprising increasing height of existing parapet, erection of a single storey roof extension, rear infill extension, external alterations and landscaping of courtyard; provision of UKPN substation and external alterations to Railey Mews.				
<b>Recommendation(s):</b>		Grant conditional planning permission subject to a section 106 legal agreement		
<b>Application Type:</b>		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
<b>Consultations</b>				
Adjoining Occupiers:	No. of objections	20		
Summary of consultation responses:	<p>Multiple site notices were displayed from 10/01/2018 (expiring on 31/01/2018) and a public notice was displayed in the local press from 11/01/2018 (expiring on 01/02/2018).</p> <p>20 letters were received from neighbouring occupiers.</p> <p>The matters of objection raised related to:</p> <p><i>Matters relating to Conservation &amp; Design:</i></p> <ul style="list-style-type: none"> <li>• Roof extension incongruous with Railey Mews</li> <li>• Roof extension detriment to Kentish Town Conservation Area</li> <li>• Roof extension in Conservation Area not allowed</li> <li>• Roof material proposed unacceptable</li> <li>• Roof extension too large</li> <li>• Increase in height unacceptable</li> <li>• Increase in height of parapet</li> <li>• Louvered elevation unsympathetic</li> <li>• Harm to Listed Building</li> <li>• No Heritage Statement considering proximity to Listed Buildings</li> </ul> <p><i>Officer's response: see section on Conservation &amp; Design</i></p> <p><i>Matters relating to Impact on neighbouring amenity:</i></p> <ul style="list-style-type: none"> <li>• Loss of light</li> <li>• Loss of privacy</li> <li>• Roof windows should be obscurely glazed or removed</li> <li>• Light spill</li> <li>• Loss of amenity resulting from access on Railey Mews e.g deliveries, smoking/congregation</li> <li>• Access to building should only take place on Fortress Grove and not Railey Mews</li> <li>• Intensification of use</li> </ul> <p><i>Officer's response: see section on Impact on neighbouring amenity</i></p> <p><i>Matters relating to Transport:</i></p> <ul style="list-style-type: none"> <li>• Harm to cobbled street on Railey Mews</li> <li>• Service Management plan required</li> <li>• Increase in traffic congestion</li> </ul> <p><i>Officer's response: see section on Transport.</i></p> <p>Miscellaneous matters:</p> <ul style="list-style-type: none"> <li>(a) Application relates to 3 units – should be a comprehensive application</li> <li>(b) Windows not shown on Sunlight &amp; Daylight report</li> <li>(c) Plant on roof not shown</li> <li>(d) UKPN – Health concerns</li> </ul>			

	<p>(e) Building works disturbance given No.21 Railey Mews also taking place</p> <p><i>Officer's response:</i></p> <p>(a) The applicant specifies the ownership of the entire site and the buildings which this application relates. Works shown on plan relating to other buildings maintain extant permission.</p> <p>(b) The omitted window has been incorporated in the revised Sunlight &amp; Daylight report</p> <p>(c) These works were dutifully assessed and permitted as per 2017/6027/P – Conditions with regard to amenity shall be carried over</p> <p>(d) These works were dutifully assessed and permitted as per 2017/6027/P</p> <p>(e) This permission will be subject to a CMP which will ensure developments in proximity actively engage to mitigate disruption</p>
<p><b>CAAC/Local groups comments:</b></p>	<p><b>Railey Mews Residents Association (RMRA):</b></p> <p>The matters of objection raised related to:</p> <p><i>Matters relating to Conservation &amp; Design:</i></p> <ul style="list-style-type: none"> <li>• Roof extension incongruous to Kentish Town Conservation Area</li> </ul> <p><i>Officer's response: see section on Conservation &amp; Design</i></p> <p><i>Matters relating to Impact on neighbouring amenity:</i></p> <ul style="list-style-type: none"> <li>• Loss of light</li> <li>• Loss of privacy</li> <li>• Roof windows should be obscurely glazed or removed</li> <li>• Light spill</li> <li>• Loss of amenity resulting from access on Railey Mews e.g deliveries, smoking/congregation</li> <li>• Access to building should only take place on Fortess Grove and not Railey Mews</li> <li>• Intensification of use</li> <li>• Location of plant</li> </ul> <p><i>Officer's response: see section on Impact on neighbouring amenity</i></p>

## Site Description

The application site comprises a vehicle repair workshop known as the 'Workshop', the 'Studio B' building which this application specifically relates to and a 'depot' garage to the rear which fronts both Fortess Grove and Railey Mews. .

The 'Studio B' building and the 'depot' (alongside Railey Mews) are located within the Kentish Town Conservation Area. The remainder of the site bounds the Kentish Town Conservation Area.

The application site is located within a TFL Underground Zone of Influence, an Archaeological Priority Area and potentially contaminated land.

The Pineapple public house on Leverton Street is Grade II Listed; as are Nos.42-94 Fortess Road. No.28-34 Fortess Road is a non-designated heritage asset.

## Relevant History

*Relates to 'Depot' (facing Railey Mews):*

2017/6027/P: Replacement of existing roof with acoustic louvred roof, and installation of louvres to Railey Mews elevation; replacement of existing single access door with double doors, and installation of internal electricity substation with associated access. **Granted conditional planning permission 27/03/2018**

*Relates to the 'Workshop':*

2017/4731/P: Installation of replacement roof to workshop building, alterations to entrance and replacement fenestration. **Granted conditional planning permission 31/10/2017**

*Relates to entire site:*

2017/4184/P: Change of use from general industrial (Use Class B2) to business (Use Class B1) under the General Permitted Development Order 2015 Schedule 2, Part 3, Class I as amended and increasing the gross floor space of the buildings (internal mezzanine floors). **Certificate of Lawfulness (Proposed) Granted 22/08/2017.**

2015/4501/P: Change of use from vehicle repair workshop (Class B2) within redeveloped buildings to provide business floorspace (Class B1) within retained shell, 1 x 2-bed dwelling on Railey Mews, 8 x 3-bed dwellings within retained shell (Class C3) and 1 x 2-bed social rent dwelling. **Granted conditional planning permission subject to a section 106 legal agreement. Dated 16/03/2017.**

## Relevant policies

### National and Regional Policy

National Planning Policy Framework (NPPF) 2012  
London Plan 2016

### Camden Local Plan 2017

Policy G1 Delivery and location of growth  
Policy C5 Safety and security  
Policy C6 Access for all  
Policy E1 Economic development  
Policy E2 Employment premises and sites  
Policy A1 Managing the impact of development  
Policy A4 Noise and vibration  
Policy D1 Design  
Policy D2 Heritage  
Policy CC1 Climate change mitigation  
Policy CC2 Adapting to climate change  
Policy CC3 Water and flooding  
Policy CC4 Air quality  
Policy CC5 Waste  
Policy T1 Prioritising walking, cycling and public transport



Policy T2 Parking and car-free development  
Policy T3 Transport infrastructure  
Policy T4 Sustainable movement of goods and materials  
Policy DM1 Delivery and monitoring

## **Camden Planning Guidance**

Adopted March 2018:  
CPG Amenity  
CPG Employment sites and business premises

Adopted Prior:  
CPG 1 Design ( July 2015)  
CPG 3 Sustainability (July 2015)  
CPG 6 Amenity ( September 2011)  
CPG 7 Transport (September 2011)  
CPG 8 Planning obligations (July 2015)

## **Other Planning Policies / Guidance**

Kentish Town conservation area appraisal and management strategy (2011)  
Kentish Town Neighbourhood Plan (KTNP) (2015)

## **Assessment**

### **1. Background**

1.1 Planning Permission was granted on 16/03/2017 for the substantial redevelopment of the entire site (2015/4501/P – see relevant history) and this permission remains extant and expires 16/03/2020.

1.2 This permission proposed, amongst other works:

- Redevelop the 'Workshop' commercial building involving the demolition and replacement of the roof, internal walls, ground floor slab and elevational elements to provide 8 x 3 bed dwellings all within the existing shell.
- Redevelop 'Studio B' commercial building involving the demolition and replacement of the roof, internal walls, ground floor slab and elevational elements to provide a 3 storey commercial building within the existing shell.
- Elevational alterations to 'depot' commercial building facing Railey Mews involving the demolition and replacement of the roof to provide a 2 storey 2 bedroom dwelling.

1.3 Planning Permission was granted on 31/10/2017 for the installation of a replacement roof to the 'Workshop' building and alterations to the entrance and replacement fenestration (2017/4731/P) and this permission remains extant and expires 31/10/2020.

1.4 This permission proposed, amongst other works:

- Replace the existing corrugated roof with a new composite metal roof – maintaining the same profile as existing. The replacement roof will incorporate reconfigured rooflights
- A new roller shutter entrance to be replaced with glazed double doors
- Existing steel windows to be refurbished, replacing panes with obscure glazing

1.5 Planning Permission was granted on 27/03/2018 for alterations to the roof and rear elevation of the 'Depot' facing Railey Mews (2017/6027/P) and this permission remains extant and expires 27/03/2021.

1.6 This permission proposed, amongst other works:

- Replacement of existing roof with acoustic louvered roof; whilst the replacement roof would have a different slope to the existing, the ridge height would remain unchanged, with the eaves contained behind the existing parapet fronting on to Railey Mews. This would also form in effect a 'hip to gable' style extension towards the southern end of the site removing the current sloped roof to be replaced with the gable end of the proposed roof
- Installation of internal UKPN substation with associated louvered double doors on to Railey Mews
- Replacement of existing single access door on to Railey Mews with double doors finished in matching louvers

- Installation of louvers facing on to Railey Mews to replace existing roller shutter. This louvered panel would also contain the aforementioned two sets of double doors (providing access to the UKPN substation and to the main building)

1.7 The above permissions remain extant and can be implemented up until 2020 and 2021.

1.8 This application relates to 'Studio B' and the 'Depot' building only, however the submitted plans also include works associated with the larger site generally and the above granted permissions.

1.9 Planning permission 2015/4501/P has established the acceptability for the principle of roof and infill extensions to 'Studio B'; 2017/4731/P has established the acceptability of elevational and roof alterations to the 'Workshop'; whilst 2017/6027/P has established the acceptability of roof level plant and louvered faced treatment to the 'Depot'.

1.10 Therefore the permissions listed above (also in relevant history) will inform the officers assessment and serve, where appropriate, as a fall back position and where relevant, conditions will be brought across.

## **2. Proposal**

2.1 Planning permission is sought for the following works to 'Studio B':

- The replacement of the existing pitched roof (eaves is 5.6m, whilst the ridge is 10.7m) to form a flat topped Corten clad third floor level, thereby increasing the eaves height to 6.8m and the terminating level to 9.8m.
- The erection of a single storey infill extension 3.4 in height (2.3m above ground floor level with No.1 Railey Mews) set behind the existing rear boundary wall, which itself is 2.3m in height above ground floor level with No.1 Railey Mews.
- Increase the existing ground floor windows to Fortress Grove
- Replace existing roller shutter opening with a new glazed opening
- Enlarge window openings
- Incorporate 36 cycle spaces and refuse storage with the Depot building (no external alterations required)

2.2 The existing building is 2,821sqm, as a result of the above works, the building would be 3,242sqm, an uplift of 421sqm. The total development can accommodate 300 workers.

2.3 The main entrance will be via the existing courtyard off Fortress Grove. Refuse and cycle (staff only) storage would be accessed via the Railey Mews entrance.

2.3 Revisions to the scheme include:

- Reduce terminating height of roof extension by 600mm – to improve design and reduce amenity impact
- Introduce greater detailing to Corten clad roof - to improve design
- Amend sunlight and Daylight report – to clarify amenity impact

## **3. Assessment**

3.1 The principal considerations material to the determination of this application are summarised as follows:

- Land use
- Design (and impact on the Conservation Area)
- Impact on neighbouring amenity
- Transport
- Energy/Sustainability
- Contamination and foundations
- Trees
- Local Recruitment and Procurement
- Community Infrastructure Levy

## **4. Land use**

4.1 The refurbishment and associated improvement of the commercial building, along with its enlargement at main roof level, would increase employment opportunities for local residents, including training and apprenticeships, thereby complying with Policies E1 and E2.

4.2 The existing building comprises a ground and mezzanine level, the proposal would introduce ground, first and second floor level office accommodation. The floorspace proposed would be modern, flexible commercial workspace, which could be suitable for light industrial use and for use by small businesses and is therefore supported by officers in the Council's Economic Development Team and compliant with Policies E1 and E2.

4.3 The site is located outside of Camden's Central London Area and the town centres, therefore policy H2 would not apply.

## **5. Design – scale, bulk and detailed design**

5.1 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.

5.2 The notable characteristics of the townscape are as follows:

- Generally the scale of the urban form is modest such as the mews houses, as are the individual design details such as windows;
- The area's evident vernacular character is due to the scale and stylistic features of residential and industrial buildings alike;
- There is a tight urban grain, whereby space between buildings is limited as are plot sizes; a design that does not respect this scale through articulation of massing and volume, through detail design and the use of materials would result in an overly large development that is out of place, overwhelming its surroundings, causing a feeling of encroachment, ultimately changing the quality and character of the area;
- Glimpses and views into streets and gaps between buildings, private areas and enclosed spaces are important features of this townscape because of the arrangement of buildings on plots;
- The buildings in and adjacent to the Conservation Area are a successful mix of typologies interwoven physically and visually regardless of use or size.

5.3 The notable characteristics of the subject building is as follows:

- A subtle and robust industrial character; though restrained, this aesthetic does not render it void of visual interest or lessen its contribution to the streetscene within the Conservation Area and to its setting;
- It demonstrates an industrial function in that it is part of the evolution of the area's land uses;
- Despite its size, it is a contextual element of the area, and integrated through design with the historical streetscape off Fortress Road.

5.4 Within this context, the nature of the part retention, part alteration and part extension of the building is considered to be mindful of the buildings' characteristics and the unique qualities of this sub area of the Kentish Town Conservation Area, and the scale and visual relationship between buildings and spaces.

5.5 The significant visual element to be removed would be the lightweight metal deck roof. This element would be replaced by a lower flat topped roof which adds a positive juxtaposition to the composition below. The increase in eaves height is acceptable and increase access to sunlight from within. The dark back-painted glazed panels lend the proposed extension a more robust industrial character than would be achieved by views in to its pale ceiling, while also helping to reduce the perception of sheer height from the street. The simple vertical rhythms set by the corten will still be dominant. The horizontal joints in the corten cladding are a positive way of picking up on the new horizontality; adding detail, particularly above the rear extensions which would be brick masonry.

5.6 The side elevation, including the dwarf wall and multi-pane windows would be retained, whilst the modern entrance shutters would be replaced with lightweight and sensitive glazing, replacing the existing roller shutter doors.

5.7 The alterations indicated along elevation facing Railey Mews remain extant as per 2017/6027/P. No additional alteration or openings are proposed as a result of this application. The works would not however cause harm to the character and appearance of the property and is considered acceptable.

5.8 The proposed alterations are considered subtle and suitable, retaining its industrial character, whilst providing modern and sympathetic interventions of limited impact. The proposal would be considerate of the the Kentish Town Conservation Area and the aims and general development policies of the KTNP, specifically Policy D3.

5.9 The site is located close to The Pineapple public house on Leverton Street which is Grade II Listed; as are the terrace of Georgian townhouses located to the east of the site at 42-94 Fortess Road. This has been given considerable weight and it is considered that proposed works would not affect the setting of the public house or the terrace. The proposal would retain the existing industrial character and appearance when viewed from over Railey Mews from the public house and the Georgian townhouses and would not harmfully alter the setting in this respect. This consideration is noted in the applicant's Heritage Statement.

## **6. Impact on neighbouring amenity**

### *Sunlight/Daylight*

6.1 Although primarily commercial in character, the development site is located in an area of mixed uses with residential accommodation along Railey Mews and Leverton Street.

6.2 The front façade of the building abuts the rear windowless wall No.20 Fortess Grove and beyond the highway to the east is Nos.21 & 22 Fortess Grove, Eleanor House – No.42 Fortess Road and Piano Works, Nos.28-34 Fortess Road.

6.3 The flank wall of the building abuts No.19 Fortess Grove.

6.4 The rear boundary wall directly abuts the flank wall of No.1 Railey Mews and the rear gardens of Nos.41-49 (odds) Leverton Street.

6.5 The application is supported by a Building Research Establishment (BRE) Daylight and Sunlight assessment. It assessed the impact of the proposed development on each of the above properties, by virtue of their proximity and orientation are considered relevant.

6.6 The assessment indicates No.1 Fortess Grove, No.19 Fortess Grove, No.22 Fortess Grove, Eleanor House – No.42 Fortess Road and Piano Works, Nos.28-34 Fortess Road would retain sufficient levels of VSC (Vertical Sky component – directly received light – not reflected or obstructed) and NSL (No Sky Line – areas which can and cannot receive direct skyline) and therefore remain compliant with BRE guidance.

6.7 With regard to No.21 Fortess Grove, all windows serving all habitable rooms would meet the VSC criteria, however 4 rooms see NSL reductions which go beyond the 20% BRE recommendation. The analysis of DD (Daylight Distribution - (the area of a room which can receive an unobstructed view of the sky), which provides a more sophisticated method of assessing daylight than VSC as it takes into account the size of a room and the size and number of its windows, demonstrates all affected rooms retain at least 60% daylight distribution which is considered acceptable.

6.8 With regard to No.1 Railey Mews, the analysis includes all windows serving all habitable rooms (noting the initial submission omitted a window). The assessment indicates of the 23 relevant windows tested, 22 meet the recommended target values. The remaining window would see VSC reductions beyond 20% BRE recommendation and the final figure would sit at 24.5%. Although an infraction would take place, given this impacted room is served by multiple windows which would remain BRE compliant, the impact is considered acceptable.

6.9 With regard to Nos.41-49 (odds) Leverton Street, the revised analysis demonstrates BRE complaints in terms of VSC and NSL.

### *Privacy / Outlook*

6.10 The proposal would introduce a 'slit' window on the rear elevation at 1.7 metres above the floor of the room in which the window is installed at first floor level, to limit the potential for overlooking. At second floor level, the roof would feature 3 full length windows. Whilst this would introduce a new opportunity to overlook residential spaces, by virtue of its orientation with No.1 Railey Mews and distance from Nos.41-49 (odds) Leverton Street, these views would either be oblique or beyond 18m, thereby of no detriment to habitable spaces.

6.11 The flank elevation, facing No.19 Fortess Grove currently features three windows at raised ground floor level. The proposal would enlarge these openings (lintel and cill). At second floor level, the roof would feature three windows aligning with the existing openings below. This would be of a lesser expanse than the extant permission. This element would therefore be of no greater detriment than the fall-back position.

6.12 The front elevation which faces the windowless wall of No.20 Fortess Grove and beyond the highway to the east Nos.21 & 22 Fortess Grove, Eleanor House – No.42 Fortess Road and Piano Works, Nos.28-34

Fortess Road, would be amended but match the extant permission in terms of openings at lower ground floor level. This application differs from the extant permission however, in that it would feature 3 windows at roof level. Whilst this would introduce a new opportunity to overlook residential spaces, this would be onto accommodation across a highway (which is typical in Fortess Grove) or beyond 18m and at an oblique angle. In this context, the roof extension would not result in harmful overlooking.

6.13 Due to the position and proximity of all new windows proposed, the proposal would not result in a harmful light spill or adjacent neighbouring properties or their gardens.

#### *Noise nuisance*

6.14 The introduction of a 'new' or intensified employment use within Fortess Grove would result in an increase in footfall activity, where the previous use would have been primarily vehicular traffic. This is not however adjudged to be of any detriment or any greater than the extant permission. The likely activities/footfall to take place would be to and from Fortess Road, as Fortess Grove is a cul-de-sac. It would not be a likely area for congregation. The operating hours would likely be held between 8am – 6pm, which whilst different from those related to the previous use as a workshop, would be akin to a typical office and therefore unlikely to be disruptive in terms of noise nuisance. Therefore the amenity of the residents within the Grove will not be harmed.

6.15 The existing use is historic and its hours of operation, numbers of staff on site etc are not secured by planning conditions. Compliance would however be required with Environmental Health regulations.

6.16 Conditions to ensure matters of amenity impact cannot be placed retrospectively on sites without a relative permission seeking to amend its use. This application seeks small scale alterations and would not therefore enable retrospective conditions to be attached to ensure matters of intensity affecting amenity.

6.17 An informative will however be attached notifying that broad amenity levels, including from construction are nevertheless secured by the Control of Pollution Act 1974 and other Environmental Health regulations

6.18 Comments have been received following public consultation on the scheme that the proposal would have an adverse impact on neighbours as a result of doors on to Railey Mews, which would facilitate access to the building (which in turn links to the remainder of the building at 38-52 Fortess Grove). The plans depict that the main entrance is located on Fortess Grove, for front of house purposes, whilst servicing and the cycle store are accessed on Railey Mews. It should be noted that access on to Railey Mews is and has been in existence for a number of years both for pedestrian and vehicular access. Within this context, it would be unreasonable (and potentially against the aims of policy T4) to restrict access to the site from this existing access point. As such, it is considered that the use of Railey Mews to access the remainder of the building would not significantly alter the existing situation in terms of impact on neighbours.

6.19 Within this context, it is acknowledged the development will have an impact upon the neighbouring properties, however this impact would not be detrimental, particular when considering the fall-back position and is considered to accord with Policy A1.

## **7. Transport**

7.1 In line with Policy T2 of the adopted Local Plan, which seeks to reduce private car use, the site is to be made car free by using bollards to prevent the front court yard area from being used for car parking. This court yard area will be landscaped and include seating to provide a more pleasant entrance to the site. In order to prevent occupiers of the site from contributing to local on-street parking pressures, the development should be subject to a car free Legal Agreement.

7.2 In line with Policies A1 and T4 of the adopted Local Plan, a draft Construction Management Plan (CMP) has been submitted in support of the application. Whilst this provides a good level deal of information regarding how the development will be carried out, it is considered that a full CMP should be secured by means of the Section 106 Agreement together with a CMP Implementation Support Contribution of £3,136 to ensure that the development does not unduly impact on the amenity of local residents or the operation of the highway network.

7.3 In line with Policy A1, a Section 106 highways contribution of £4,633.20 should be secured to enable the repaving of the footway adjacent to the site on Railey Mews should it become damaged during the construction of the development.

7.4 With regard to servicing, the courtyard adjacent to Fortess Grove would be capable of accommodating a small to medium sized motor vehicle. The principle of this is understood as it would facilitate on-site deliveries

and servicing (notwithstanding refuse collection and matters held as per the s106) which would minimise the impact on other users of Fortress Grove on the whole. Removable bollards shall be provided in the courtyard area however, to prevent off-street car parking. Servicing shall however be secured by Section 106 planning obligation, again matching that of the extant permission.

7.5 In line with Policy T1 the proposal provides 36 cycle spaces for long stay and 6 cycle spaces for short stay. A further 6 cycle parking spaces for visitors would be located within the forecourt of the site off Fortress Grove. Their provision would be secured by condition.

7.6 A Travel Plan is a package of measures, generally developed by employers or property managers, which is designed to reduce car use and promote greener forms of transport. Given the number of employees on site, this matter shall be secured by a legal agreement.

## **8. Energy/Sustainability**

8.1 As per policies CC1, CC2 and CC3, the amount of floorspace involved falls below the threshold of 500sqm, therefore a BREEAM pre-assessment is not required.

8.2 The reduction in height of the roof extension has constrained the initially proposed living roof and is now not proposed. In light of the balance between design and sustainability, this omission is considered acceptable. To secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures, a condition shall however ensure bird and bat boxes.

## **9. Contamination and foundations**

9.1 Owing to the sites historical use as an industrial and motor-body factory and garage, there is a known contamination constraint at the site considered to be of medium and very high risk.

9.2 Hence on this proposal, which would include the redevelopment of the site, a planning condition would be imposed on the development. This would require a detailed scheme of assessment (consisting of site reconnaissance, conceptual modelling, risk assessment and a proposed schedule of investigation), a remediation scheme, reporting and management of significant additional contamination and a pre-demolition asbestos survey.

9.3 To safeguard existing below ground public utility infrastructure and controlled waters a condition shall be attached.

## **10. Trees**

10.1 Adjacent trees shall be protected from any detrimental harm and secured by way of a condition.

## **11. Local Recruitment and Procurement**

11.1 A Section 106 planning obligation shall secure that the proposed development benefits Camden residents, both during construction and, where possible, post-construction.

## **12. Community Infrastructure Levy**

12.1 Based on the Mayor's CIL and Camden's CIL charging schedules and the information given on the plans the charge is likely to be £21,050 (421m<sup>2</sup> x £50) for Mayoral CIL and £10,525 (421m<sup>2</sup> x £25) for Camden's CIL. The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

**Recommendation: Grant Planning Permission subject to a Section 106 Legal Agreement covering the following Heads of Terms:-**

- Demolition and Construction Management Plan
- CMP Implementation Support Contribution of £3,136
- Financial contribution for highway works of £4,633.20
- Local Recruitment and Procurement
- Car free
- Service Management Plan
- Travel plan and Implementation Support Contribution of £6,432

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 2<sup>nd</sup> July 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

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London  
SE1 3XF

Application Ref: **2017/6788/P**

28 June 2018

Dear Sir/Madam

**DRAFT**  
**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)

**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**Workshop Rear of 38-52  
Fortess Road  
Fortess Grove  
LONDON  
NW5 2HB**

Proposal:

**DECISION**  
Works to depot building (Studio B) comprising increasing height of existing parapet, erection of a single storey roof extension, rear infill extension, external alterations and landscaping of courtyard; provision of UKPN substation and external alterations to Railey Mews

Drawing Nos: 1014-PL-S-B-00; 1014-UC-B-P-00; 1014-UC-B-P-01; 1014-UC-B-P-02; 1014-UC-B-P-RF; 1014-UC-B-S-01; 1014-UC-B-S-02; 1014-EX-B-E-10; 1014-EX-B-E-11; 1014-EX-B-E-13; 1014-EX-B-E-14; 1014-PL-B-P-00 REV PL3; 1014-PL-B-P-01; 1014-PL-B-P-02; 1014-PL-B-P-RF REV PL3; 1014-PL-B-S-01 REV PL3; 1014-PL-B-S-02 REV PL3; 1014-PL-B-E-10 REV PL3; 1014-PL-B-E-11 REV PL3; 1014-PL-B-E-12 REV PL3; 1014-PL-B-E-13 REV PL3; SK-B-40 REV PL; Daylight and Sunlight Report (12073), prepared by GIA , dated 20/11/2017; Daylight and Sunlight Report (12073), prepared by GIA , dated 21/06/2018.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.



The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 policies D1 and D2 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 [1014-PL-S-B-00; 1014-UC-B-P-00; 1014-UC-B-P-01; 1014-UC-B-P-02; 1014-UC-B-P-RF; 1014-UC-B-S-01; 1014-UC-B-S-02; 1014-EX-B-E-10; 1014-EX-B-E-11; 1014-EX-B-E-13; 1014-EX-B-E-14; 1014-PL-B-P-00 REV PL3; 1014-PL-B-P-01; 1014-PL-B-P-02; 1014-PL-B-P-RF REV PL3; 1014-PL-B-S-01 REV PL3; 1014-PL-B-S-02 REV PL3; 1014-PL-B-E-10 REV PL3; 1014-PL-B-E-11 REV PL3; 1014-PL-B-E-12 REV PL3; 1014-PL-B-E-13 REV PL3; SK-B-40 REV PL; Daylight and Sunlight Report (12073), prepared by GIA , dated 20/11/2017; Daylight and Sunlight Report (12073), prepared by GIA , dated 21/06/2018.]

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

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

- b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the relevant part of the works, full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall be submitted to and approved by the local planning authority in writing. Such details shall include details of paving, draining and other fixed furnishings and any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 8 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 9 Before the development is occupied the service bay within the site shall be clearly marked out in thermoplastic paint stating "No Parking". Thereafter, at no time shall any goods, vehicles, plant equipment or other obstruction be left in this area and the markings shall be permanently retained unless prior written consent is given by the local planning authority.

Reason: In order to satisfactorily provide for the turning of vehicles within the site and in the interests of highways and pedestrian safety in accordance with the requirements of policy T4 of the London Borough of Camden Local Plan 2017.

- 10 Before the development commences, details of secure and covered cycle storage area for 42 cycles (36 internal and 6 external) 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.

- 11 No construction shall take place until a detailed design and method statement for all foundations and other development proposed below ground level which takes account of the adjoining operations and structures of London Underground, has been submitted to and approved by the local planning authority in consultation with the relevant rail infrastructure undertaker. The development shall thereafter be carried out in accordance with the approved design and method statements.

Reason: To ensure that the development does not impact on existing and proposed strategic transport infrastructure in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 12 No impact piling shall take place until a piling method statement, prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works, has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy G1 of the London Borough of Camden Local Plan 2017.

- 13 At least 28 days before the development hereby permitted commences a written detailed scheme of assessment consisting of site reconnaissance, conceptual model, risk assessment and proposed schedule of investigation must be submitted to the planning authority. The scheme of assessment must be sufficient to assess the scale and nature of potential contamination risks on the site and shall include details of the number of sample points, the sampling methodology and the type and quantity of analyses proposed. The scheme of assessment must be approved by the LPA and the documentation submitted must comply with the standards of the Environment Agency's Model Procedures for the Management of Contamination (CLR11).

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy A1 of the London Borough of Camden Local Plan.

- 14 Before development commences, a site investigation shall be undertaken in accordance with the approved scheme of assessment and the written results provided to the planning authority for their approval. Laboratory results must be provided as numeric values in a formatted electronic spread sheet. Before development commences a remediation scheme shall be agreed in writing with the planning authority and the scheme as approved shall be implemented before any part of the development hereby permitted is occupied.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy A1 of the London Borough of Camden Local Plan.

- 15 Additional significant contamination discovered during development shall be fully assessed and any necessary modifications made to the remediation scheme shall be submitted to the Local Planning Authority for written approval. Before any part of the development hereby permitted is occupied the developer shall provide written confirmation that all works were completed in accordance with the revised remediation scheme.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy A1 of the London Borough of Camden Local Plan.

- 16 The developer must provide an intrusive pre-demolition and/or refurbishment asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers. The scheme must be written by a suitably qualified person and shall be submitted to the Local Planning Authority and must be approved prior to commencement of the development. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the Local Planning Authority prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy A1 of the London Borough of Camden Local Plan.

- 17 Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (2016) and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

- 18 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 19 Notwithstanding the details hereby approved, the louvers on the eastern elevation, and roof of the development shall be painted black or dark grey, prior to occupation.

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 of the London Borough of Camden Local Plan 2017.

- 20 Prior to use, the machinery, plant and equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the surrounding premises is not adversely affected by vibration in accordance with Policies A1 and A4 of the London Borough of Camden Local Plan.

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 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Engineering Service Network Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 2410) or email [highwayengineering@camden.gov.uk](mailto:highwayengineering@camden.gov.uk).
- 4 You are advised that the structure hereby approved should be constructed in such a manner that it will not be susceptible to future damage by protected trees. The Council is unlikely to consider favourably any application to prune or fell protected trees because of their impact on the structure hereby approved. You are further advised that the Department for Communities and Local Government the Regions guidance "Tree Preservation Orders - A Guide to the Law and Good Practice" states that no compensation is payable to a person for loss or damage which was (i) reasonably foreseeable by that person, and (ii) attributable to that person's failure to take reasonable steps to avert the loss or damage or mitigate its extent
- 5 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974 4444 or email [env.devcon@camden.gov.uk](mailto:env.devcon@camden.gov.uk)).
- 6 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.

- 7 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 8 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
- 9 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate