



Image 1 – street view of application site

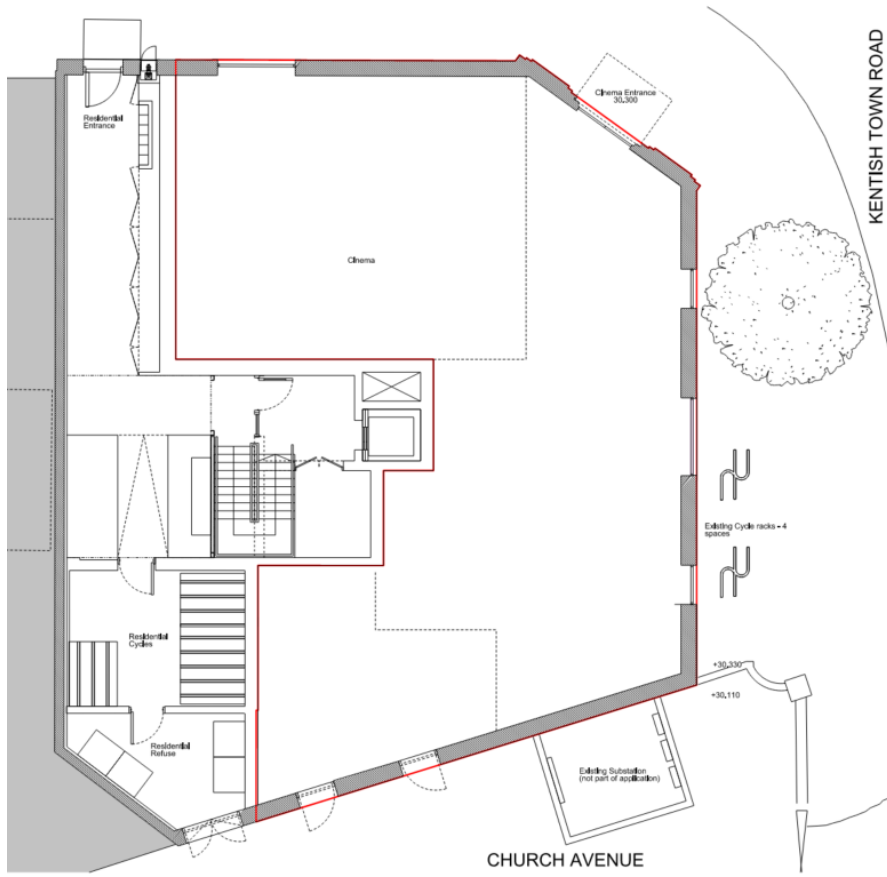


Image 2 – Floor plan



Image 3 – Indicative design for cinema use included in marketing brochure

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	27/07/2024
		N/A / attached	Consultation Expiry Date:	26/08/2024
Officer			Application Numbers	
Kristina Smith			2024/0601/P	
Application Address			Drawing Numbers	
187 Kentish Town Road London Camden NW1 8PD			Please refer to decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposals				
Change of ground floor use from Cinema (Sui Generis) to Flexible Use for Cinema (Sui Generis) / Class F.1 / Class F.2 / Class E				
Recommendations:		Grant conditional planning permission		
Application Types:		Full planning permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	15	No. of objections	8
Summary of consultation responses from local occupiers:	<p>Two site notices were displayed from 03/07/2024 (until at least 27/07/2024).</p> <p>No press advert was displayed given the site is located outside of a conservation area.</p> <p>At least 8 objections and 7 comments were received from individuals (excludes residents / amenity groups and associations, see below for these) on the following grounds:</p> <ul style="list-style-type: none"> • Accept a cinema may not be its best use (especially given arrival of Curzon at Camden Lock) but feel strongly that the space should still be dedicated to a community / public facing use and so Class E should be removed from the proposal. • Cinema operators not interested as the rent is too high given potential capacity and number of screens. • Space has got great potential for an arts/culture space which we need now more than ever. • Planning permission was granted on the basis of a cinema, the developer should not be able to get out of this commitment. • Class E is concerning as a very broad use class that encompasses a wide range of commercial and industrial applications and would almost certainly mean the loss of a community asset. • The commercial interests of the developer should not override the commitment to provide a community service. <p><i>Officer response: A marketing exercise has been undertaken and submitted with the planning application to demonstrate that no viable offers have been received to date. The applicant is seeking to expand the use class to secure a tenant and bring the unit into use. Various potential operators that include a community / cultural component require the flexibility of a Class E use class to operate. There is no clear indication from the minutes of the Committee meeting that planning permission was granted on the basis of a cinema being provided. Please refer to the 'Land use' section of the report for full discussion.</i></p>			
Consultation responses from Councillors	<p>Cllr Callaghan, Cllr Apak and Cllr Cotton object on the following grounds:</p> <ul style="list-style-type: none"> • Local community have been promised a cinema or community use of the site. The Council should hold developers to account. • Social amenity is highly valued by residents in densely populated, inner-city areas such as this. • A cinema is the only reason permission was granted. <p><i>Officer response:</i></p> <ul style="list-style-type: none"> • <i>A marketing exercise has been undertaken and submitted with the planning application to demonstrate that no viable offers have been received to date.</i> 			

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| | <ul style="list-style-type: none">• <i>The applicant is seeking to expand the use class to secure a tenant and bring the unit into use.</i>• <i>Various potential operators that include a community / cultural component require the flexibility of a Class E use class to operate.</i>• <i>There is no clear indication from the minutes of the Committee meeting that planning permission was granted on the basis of a cinema being provided.</i>• <i>Please refer to the 'Land use' section of the report for full discussion.</i> |
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**Consultation
responses from
Local Groups**

Kentish Town Neighbourhood Forum object on the following grounds:

- KTNF supported the original application because there would be a cinema space included
- The space has remained empty because the owner says they haven't been able to let it, despite approaches from a number of operators. The problem appears to be the high rent for a small space and would require complete fit out by an operator. The tenure is also unspecified. Developer has been unwilling to negotiate.
- If Class E was removed from the proposal, KTNF would give application serious consideration in the interests of bringing space into use.
- KTNF asks the Council to refuse the current application.

Kentish Town CAAC objected to the proposal but due to an apparent technical glitch, the contents of the objection cannot be read in full. The CAAC have been contacted and asked to re-send their representation but have not yet responded.

Castlehaven Community Association object on the following grounds:

- The developer was allowed to build 5 storeys in return for a cinema which would benefit the neighbourhood.
- The current application for a Class E would mean the community would lose all involvement in the building, a huge loss to the local community who have waited patiently.
- We could support Class F which would allow community involvement and a chance we could get the cinema one day

Durdans House TRA object on the following grounds:

- The only reason the building was granted planning permission and now exists was a promise of a cinema.
- Object to the betrayal and request it is refused.

Kelly Street Residents Association object on the following grounds:

- Planning Committee granted the five storey application recognising the strength of feeling [for a cinema] of Kentish Town residents
- Developer has financially benefited but the quid pro quo was that the community should benefit from the ground floor.
- Developer refuses to negotiate their terms which include unrealistically high rent and freehold price, plus fit out cost

Kentish Town Road Action (KTRA) objects on the following grounds:

- The developers only gained planning permission to develop additional storeys above building because of the legal commitment to provide a cinema within the building.
- If community had known developer would renege on plans, we would never have agreed to development
- Developer maintains tried hard to find a cinema operator, but its offer is on a short lease and high commercial rate basis which is obviously unattractive
- No marketing boards displayed
- KTRA strongly against Class E use but failing a cinema, would accept change to F1/F2

Inkerman Area Residents Association object on the following grounds:

- The only community benefit of the planning permission to an

otherwise unpopular planning application was the promise of a cinema

- The owner's terms include a relatively short lease and a high commercial rent
- Despite a number of approaches by cinemas, it has remained empty.
- The grant of a Class E would signal the complete loss of a community asset and a lucrative space for the owner
- If cinema proves unachievable then let to another use that could genuinely benefit community, covered by F1/F2 use class.

Officer response to all above representations:

- *A marketing exercise has been undertaken and submitted with the planning application to demonstrate that no viable offers have been received to date.*
- *The applicant is seeking to expand the use class to secure a tenant and bring the unit into use.*
- *Various potential operators that include a community / cultural component require the flexibility of a Class E use class to operate.*
- *There is no clear indication from the minutes of the Committee meeting that planning permission was granted on the basis of a cinema being provided.*
- *Please refer to the 'Land use' section of the report for full discussion.*

Site Description

The site is located at the junction of Kentish Town Road and Prince of Wales Road. The site has recently been subject to a residential – led redevelopment which comprised a façade retention scheme with two additional storeys above. The application relates to the ground floor level unit only which measures approx. 234 sqm. The unit has been constructed so it has the potential to be used as a cinema but is in a shell condition. It has been vacant since completion of the development.

The site is in the Kentish Town Town Centre and is also covered by the Kentish Town Neighbourhood Plan.

Relevant History

2013/8301/P - Redevelopment of existing building (Class A3), retaining the existing façade, to provide a 5 storey building (2 storey roof addition) with cinema (Class D2) and ancillary café and bar use at ground floor and 11 market (2x studio, 1x1, 7x2 & 1x3 bed) and 1 intermediate (1x1 bed) residential units (Class C3) at 1st to 4th floor level, together with various associated alterations including landscaping, external terraces, alterations to external elevations and rooftop plant. **Granted subject to S106 agreement on 27/03/2015**

2013/8302/P – Redevelopment of existing building (Class A3), retaining the existing façade, to provide a 4 storey building (1 storey roof addition) with flexible retail/financial and professional services/restaurant (Class A1/A2/A3) use at ground floor and 9 (2x1, 6x2 & 1x3 bed) residential units (Class C3) at 1st to 3rd floor level, together with various associated alterations including landscaping, external terraces, alterations to external elevations and rooftop plant. **Granted subject to S106 agreement on 27/03/2015** *n.b Permission not implemented*

2018/5059/P - Variation of Conditions 8 (cycle spaces), 12 (lifetime homes) and 15 (approved plans) to planning permission 2013/8301/P (Redevelopment to provide 5 storey building (2 storey roof addition) with cinema (Class D2) and 11 market (2 x studio; 1x1; 7x2 & 1x3 bed) and 1 intermediate (1x1 bed) residential units (Class C3), to amend layout to reconfigure cinema at ground floor and residential unit mix above (11 market – 10x2 bed & 1x3 bed) and 1 intermediate (1x1 bed)), increase in height to ridge, alteration to fenestration on south elevation and cycle space provision. **Section 73 application granted on 05/09/2019 subject to a deed of variation**

Relevant policies

National Planning Policy Framework 2023

London Plan 2021

Camden Local Plan (2017)

Policy TC1 Quantity and location of retail development
Policy TC2 Camden's centres and other shopping areas
Policy C3 Cultural and leisure facilities
Policy A1 Amenity
Policy T1 Prioritising walking, cycling and public transport
Policy T2 Parking and car-free development

Kentish Town Neighbourhood Plan (2016)

Supplementary Planning Policies

Camden Planning Guidance (CPG)

Town centres and retail (2021)
Amenity (2021)
Community uses, leisure and pubs (2021)

Assessment

1. Background

- 1.1 The applicant acquired the site in May 2018 and subsequently implemented planning permission ref 2018/5059/P (a variation to ref. 2013/8301/P, see planning history). The upper floor residential units are built out and the ground floor space has been constructed in a way that could accommodate a cinema i.e. a use-specific shell condition, to include an excavated pit with no columns.
- 1.2 The cinema has been marketed since the applicant acquired the site. Over the course of the marketing period, no viable offer has been forthcoming which has led the applicant to pursue a planning application to expand the planning use class. The marketing exercise carried out is discussed in detail in the land use assessment section.
- 1.3 The officer recommendation to the Planning Committee was to refuse planning permission on design grounds, specifically the inappropriate bulk, form, scale and detailed design of the roof extension and its impact on the host building, the setting of neighbouring buildings and surrounding conservation areas; however, the recommendation was overturned by Members and planning permission was granted. Consultation comments have referred to the additional storey being supported as a result of the cinema being provided at ground floor level. Whilst this is an oversimplification, Members will have considered the proposal in the round and in reaching their decision, may have regarded the cinema, though a commercial use, as a public benefit that offset any identified harm.
- 1.4 The relevant minutes of the Committee meeting read as follows,
- ‘A Member stated that he fully recognised the importance of the building to the local community and that he wanted to see a cinema provided on the site. He was not concerned about the height of the building as he felt this was still lower than other nearby buildings and that it was suitable for a corner location. A number of other Members also expressed their support for the scheme and their support for providing a local cinema on the site.*
- Members expressed some concern regarding the viability of a purely cinema use and queried whether there could be more flexibility to use the space for other cultural and artistic uses. A representative of the company which would be operating the proposed cinema stated that they would be prepared to look at other uses and that it was possible to design the space with a retractable screen so that it was more suitable for live performances. However, it was noted that the local community wanted to see the site primarily used as a cinema. The Assistant Director of Regeneration and Planning confirmed that if Members were minded to approve the scheme, then a Section 106 legal agreement could be used to restrict the use primarily to a cinema, but also to provide some flexibility for other artistic and cultural uses. The Members also agreed that the ground floor space should be available for the local community on a flexible basis and that this should also be secured within the Section 106 legal agreement.’*
- 1.5 Accordingly, the Section 106 required the submission and approval of a cinema plan including access arrangements and possible measures to encourage cultural and educational outreach programmes prior to the occupation of the development. The Cinema Plan was discharged by the Council on 2nd March 2023.

1.6 It is noted that a second application (ref 2013/8302/P) for a similar development at the same site was heard at the same Planning Committee as application ref. 2013/8301/P. Instead of a cinema at ground floor level, the application proposed flexible retail/ financial & professional services/ restaurant (Class A1/A2/A3) and only a single storey roof extension rather than a two-storey roof extension. Members voted in favour of the recommendation to approve planning permission and planning permission was subsequently granted, though not implemented. The uses proposed as part of that application (A1 - retail/ A2 – financial and professional services /A3 - restaurants) are similar to those proposed as part of the Class E use.

2. Proposal

2.1 Planning permission is sought to change the ground floor cinema unit to a flexible commercial use, incorporating Cinema (Sui Generis), Class F.1, Class F.2 and Class E. The applicant has agreed to exclude Class E (g)(i) (offices) from the proposal acknowledging that office uses typically detract from the character and function of Town Centres. This will be secured by planning condition.

2.2 The proposals relate to the land use only and no external works are proposed.

2.3 A flexible permission allows an Applicant to apply for planning permission for more than one use which can be interchangeable over a 10-year period without the need for further planning permission. These provisions are embodied within Schedule 2, Part 3, Class V of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (“the GDPO”) which allows the local planning authority to grant permission for multiple uses, subject to specific criteria.

2.4 It reads, “Development consisting of a change of use of a building or other land from a use permitted by planning permission granted on an application, to another use which that permission would have specifically authorised when it was granted”. The criteria that would disallow the flexibility are as follows: (a) the application for planning permission referred to was made before 5th December 1988; (b) it would be carried out more than 10 years after the grant of planning permission; (c) the development would consist of a change of use of a building to use as betting office or pay day loan shop; or (d) it would result in the breach of any condition, limitation or specification contained in that planning permission in relation to the use in question.

2.5 There are no restrictions on which uses can be applied for so this could be the current use and a new further use(s) or alternatively multiple, new separate uses as is the case with the current application. At the end of the 10-year period, whichever use is functioning at the time becomes the permanent lawful use of the property.

3. Assessment

3.1 The principal planning considerations are considered to be the following:

- Land use
- Amenity
- Transport

4. Land use

4.1 The application involves the change of use from a single cinema use (Sui Generis) to a flexible use comprising four possible options: a cinema, Class F.1 (learning and non-residential institutions), Class F.2 (local community), and class E (commercial, business and service).

4.2 The site is situated within the Kentish Town Town Centre and is designated as a secondary

frontage. The general thrust of national, regional and local policies seek to secure and safeguard the vitality and viability of town centres. At a regional level, London Plan Policy SD6 (Town centres and high streets) sets out that the vitality and viability of London's varied town centres should be promoted and enhanced by encouraging strong, resilient, accessible and inclusive hubs with a diverse range of uses that meets the needs of Londoners, including main town centre uses, night-time economy, civic, community, social and residential uses.

- 4.3 At a local level, policy TC2 of the Camden Local Plan states it will seek to protect and enhance the role and unique character of each of Camden's centres and provide for and maintain, a range of shops including independent shops, services, food, drink and entertainment and other suitable uses to provide variety, vibrancy and choice. TC4 meanwhile considers the effect of town centre uses and seeks to ensure development does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.
- 4.4 There is no objection to the proposed range of uses that would be subject to the flexible permission. They are all suitable town centre uses that would not compromise Kentish Town's vitality and viability. Given the content of the objections, which
- 4.5 Policy C3 of the Camden Local Plan seeks to protect cultural and leisure facilities and where there is a proposal involving the loss of such a facility, it must be demonstrated that there is no longer a demand. When assessing such applications, policy C3 provides the following criteria that the Council will take into account:
- a. whether the premises are able to support alternative cultural and leisure uses;
 - b. the size, layout and design of the existing facility;
 - c. proposals for re-provision elsewhere;
 - d. the impact of the proposal on the range of cultural and leisure facilities; and
 - e. the mix of uses in the area.
- 4.6 It is noted that the supporting text to the policy (para 4.57) does not reference cinemas as important in defining Camden's cultural and leisure offer (examples of those included are live music venues, leisure centres, art galleries, theatres), though the use is clearly important to the local community and akin to a cultural / leisure use.
- 4.7 CPG *Community uses, leisure facilities and pubs* requires any proposal involving the loss of a cultural or leisure use to be accompanied by a marketing exercise to consider the ability of the premises of site to accommodate alternative cultural or leisure use.

Assessment

- 4.8 It is important to note from the outset that the cinema use has not yet commenced and therefore there is no cultural / leisure facility actually being lost, rather the potential of the use. It is considered therefore that whilst the policy applies a useful framework for assessment, it should not be applied as rigidly as if the use was established and provided community value. Also, the proposal is for a flexible permission that includes a cinema use, so there is scope for the unit to be used as a cinema in the future without the need for a further change of use. Other uses included in the proposed range of uses are F.1 (educational / non-residential institution) and F.2 (local community use), which would also meet the requirements of the policy in terms of a cultural / leisure use being re-provided.
- 4.9 In terms of how the proposal would impact the range of cultural and leisure facilities in the area, the cinema context has changed since planning permission was granted. A 5-screen Curzon Cinema opened at Hawley Wharf in November 2021 (0.4 miles away), and an Everyman in Belsize Park (1.2 miles away) was refurbished in September 2021. Less recently but since the applications were determined, a 4-screen Everyman cinema has opened in King's Cross. There is therefore greater availability of cinema options that are easily accessible by public transport from the Kentish Town area which has enhanced the range of cultural and leisure facilities

available to local residents.

- 4.10 Despite the use not technically being lost, the applicant has submitted a detailed marketing report with the application. It sets out a marketing timeline since Vabel acquired the site in May 2018. It has been marketed by the applicant themselves from May 2018 to March 2020 (22 months) prior to the pandemic and then again from May 2021 to December 2022 (19 months) before appointing a professional marketing agent from Savills in January 2023 until present day.
- 4.11 The marketing approach (by Savills) since January 2023 has consisted of the circulation of marketing particulars on Savills website and PIP (an external database of UK agents) and Loop Net/ Costar (third party retail property marketing websites) and promoted on LinkedIn. Direct and targeted approaches were made to 30 cinema operators, including mainly smaller boutique operators but larger operators also.
- 4.12 The rent was listed as “on application” with discussions typically starting at between £75,000 - £85,000 per annum (approx. £30-34 per sqft) with some starting as low as £50,000 (£22 per sqft). There are few comparables given the low number of cinema transactions that have taken place in recent times. Also, because single screen transactions are particularly rare. The marketing agent advises that Everyman King’s Cross was let at £20 per sqft but this was over 10 years ago, in a different market and for a cinema around 4 times the size. Historically, it is understood cinema rents in London have ranged from £20-£40 per sqft.
- 4.13 Transactions for similar sized commercial properties in the local area over the past 10 years have been provided which shows a rent per sqft of between £17.24 - £41.79. According to the marketing agent, the rent has remained negotiable with the more significant barrier being the expenditure associated with the fit out cost relative to the profitability of the single screen.
- 4.14 The response from the indirect marketing generated only 4 responses with 3 viewings and these were from local, non-established operators. With regards to the targeted marketing, an appendix has been provided including a summary of feedback from the 30 different cinema operators approached. Either no response was received or feedback was received referring to the single screen being too small to suit the business model or only interested on a fully funded fit-out basis.
- 4.15 Two offers were received, with the first not progressing due to viability concerns linked to the pandemic and the second from an affordable community cinema on the basis of a fully funded fit out with no base rent but a profit share of 15% on ticket sales. This was not considered commercially viable.
- 4.16 The submission proposes several reasons why a viable offer has not come forward. Firstly, a single screen is capable of screening only one film at a time and due to the way film rights are purchased, an operator must commit to screening the content for a number of weeks at a time meaning a lack of varied content and flexibility to respond to customer demand. Smaller cinemas are also less attractive to the larger operators as they are less profitable, yet it is mainly the larger operators who have access to the required capital to fund a fit out, secured against future revenue. Part b of policy C3 allows for the size of a facility to be taken into account when assessing applications.
- 4.17 It is also understood that the Covid pandemic has had an enduring negative impact on the cinema industry with box office revenues not having returned to pre-pandemic levels, which has had a knock-on effect on the willingness of operators to acquire new sites. When potential operators have been interested, they have requested full fit-outs.
- 4.18 In response to the lack of viable offers from cinema offers and having regard to part a of policy C3, the applicant broadened the target audience in the hope of attracting other cultural and community uses. The agent carried out a further marketing exercise on this basis. In response, there have been four interested responses from potential operators including a social enterprise

café, a strength training / boxing gym, a non-profit organisation that supports young adults from underrepresented backgrounds in the creative industry; and a social meeting youth space startup. One of these has submitted a financial offer which is being worked through, two have not resulted in a formal offer and the fourth has confirmed they do not have the finance in place to commit. It is noted that the first three businesses have advised the applicant that they would require a Class E use to operate.

Neighbouring amenity

- 4.19 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight.
- 4.20 Given this is only an application for a change of use, impact on privacy, outlook and light are not relevant. There are therefore only potential noise and disturbance issues to consider; however, all proposed uses are appropriate for the Town Centre location and the nearest residential occupiers are those in the same building who were aware that the ground floor would have a commercial use. Were a restaurant use to come forward, this would be subject to licensing controls in terms of opening hours and pavement seating.
- 4.21 Were the use to require plant associated with extraction or active cooling, this would require further planning permission and a noise and odour assessments as appropriate would need to be submitted to demonstrate harm to amenity could be avoided.

Transport

- 4.22 Given the site's high PTAL score of 6b, it is expected that the majority of users would arrive on foot and via public transport regardless of the use. The unit has been secured as car-free by the original permission on the site.
- 4.23 The policy compliant level of cycle parking provision depends on the use, varying between 1-2 long stay spaces and 2-12 short-stay spaces. No long stay cycle parking for the commercial unit was designed into the building and there is no scope to provide this retrospectively.
- 4.24 In terms of short stay cycle parking, none was secured by the original application. The proposed uses are not considered to create more demand than the approved cinema use and so no contribution will be sought in this instance. It is noted there are two Camden M-stands adjacent to the building and various other Sheffield or M-stands further afield for use by visitors to the site.

5. Conclusion

- 5.1 The applicant has provided comprehensive and detailed marketing evidence to substantiate their claim that a cinema of this small size is not currently viable. The applicant has committed costs to ensuring the building can accommodate a cinema, including a column-free excavated cinema pit; however, it has been demonstrated that potential operators for a cinema of this size are only interested on the basis that full-fit out is provided. With larger cinemas, the operator is typically able to cover capital costs based on the future revenue stream; however, a single screen presents challenges as the rental value is low and the risks are higher given the limited screening capacity. The applicant claims it is not commercially viable to cover fit-out costs and the Council has no grounds on which to dispute this.
- 5.2 Since the marketing exercise was broadened, interest in the space has come from several organisations with a community focus, though these organisations have expressed a need to have a planning use Class E to provide the flexibility to include a commercial or retail element. As such, it is not considered practical to exclude Class E from the proposal.

5.3 Objections claim that the additional building height was supported at Planning Committee based on the provision of a cinema use; however, it is not possible to substantiate this connection. The Committee meeting minutes suggest that several Members did not find the additional height to be harmful and therefore public benefits (which could have included a cinema) were not needed to outweigh heritage harm. Even if the application were supported on this basis, the challenges in finding an operator remain the same as evidenced by the submitted marketing report.

5.4 Officers therefore consider there to be no reasonable grounds upon which to refuse planning permission. The use has not yet commenced and so there is no actual loss of a cinema but despite this, satisfactory marketing evidence has been provided. The proposal to expand the use class is expected to bring the ground floor into use, contributing to the activity and vitality of the Town Centre, as well as generating employment. Excluding office use from the potential uses will help ensure the future occupiers provide an active use appropriate to its Town Centre location.

6. Recommendation

6.1 Grant conditional planning permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 23rd September 2024, 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 and search for 'Members Briefing'.

Application ref: 2024/0601/P
Contact: Kristina Smith
Tel: 020 7974 4986
Email: Kristina.Smith@camden.gov.uk
Date: 19 September 2024

Development Management
Regeneration and Planning
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Phone: 020 7974 4444

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

Savills
33 Margaret Street
London
W1G 0JD
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

187 Kentish Town Road
London
Camden
NW1 8PD

DECISION

Proposal:

Change of ground floor use from Cinema (Sui Generis) to Flexible Use for Cinema (Sui Generis)
/ Class F.1 / Class F.2 / Class E

Drawing Nos: KTR-VBL-XX-XX-DR-A-00.000 Rev P1; KTR-VBL-XX-XX-DR-A-01.100 Rev P01 KTR-VBL-XX-XX-DR-A-03.100 Rev P01; Cover letter dated 28 June 2024; Planning statement (dated June 2024, prepared by Savills (UK) Limited); Marketing report (prepared by Savills, dated 14 June 2024); Email correspondence from Savills Planning dated 04/09/24; Letter from Savills re: marketing evidence dated 16/08/24

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

KTR-VBL-XX-XX-DR-A-00.000 Rev P1; KTR-VBL-XX-XX-DR-A-01.100 Rev P01
KTR-VBL-XX-XX-DR-A-03.100 Rev P01; Cover letter dated 28 June 2024;
Planning statement (dated June 2024, prepared by Savills (UK) Limited); Marketing report (prepared by Savills, dated 14 June 2024); Email correspondence from Savills Planning dated 04/09/24; Letter from Savills re: marketing evidence dated 16/08/24

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

- 3 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or the Town and Country Planning (General Permitted Development) Order 2020 (or any orders revoking and re-enacting those orders with or without modification), the site shall not be used as an office (Class E (g)(i))

Reason: To protect the function and character of the Town Centre in accordance with policies TC2 and TC4 of the Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 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, 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.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Chief Planning Officer

DRAFT

DECISION