



Photo 1 (above): Aerial view (source: Google 3D)



Photo 2 (above): Side elevation of application building

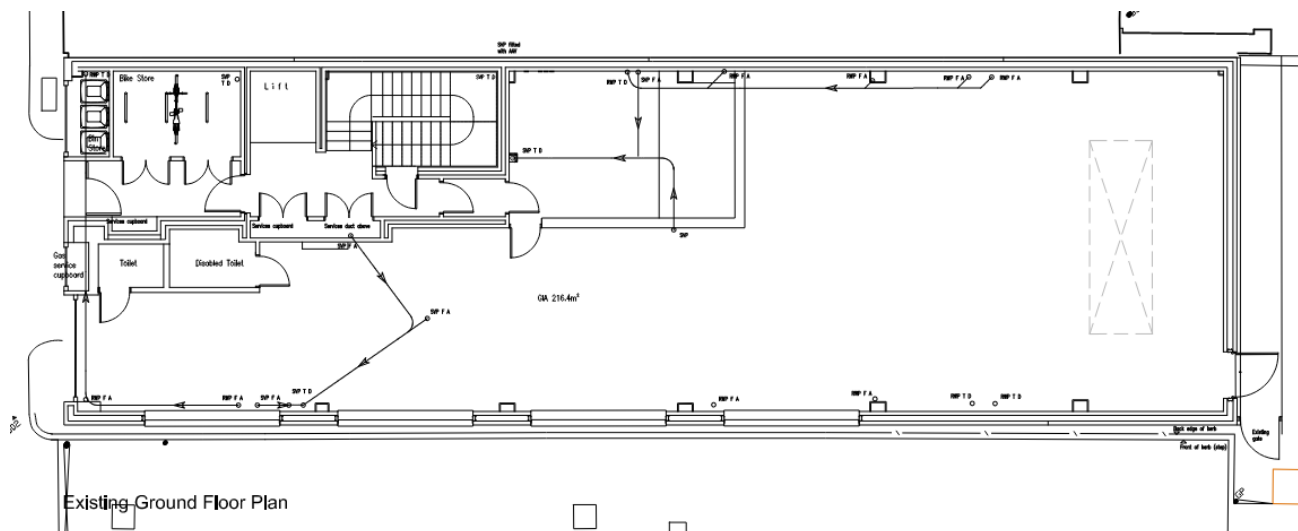
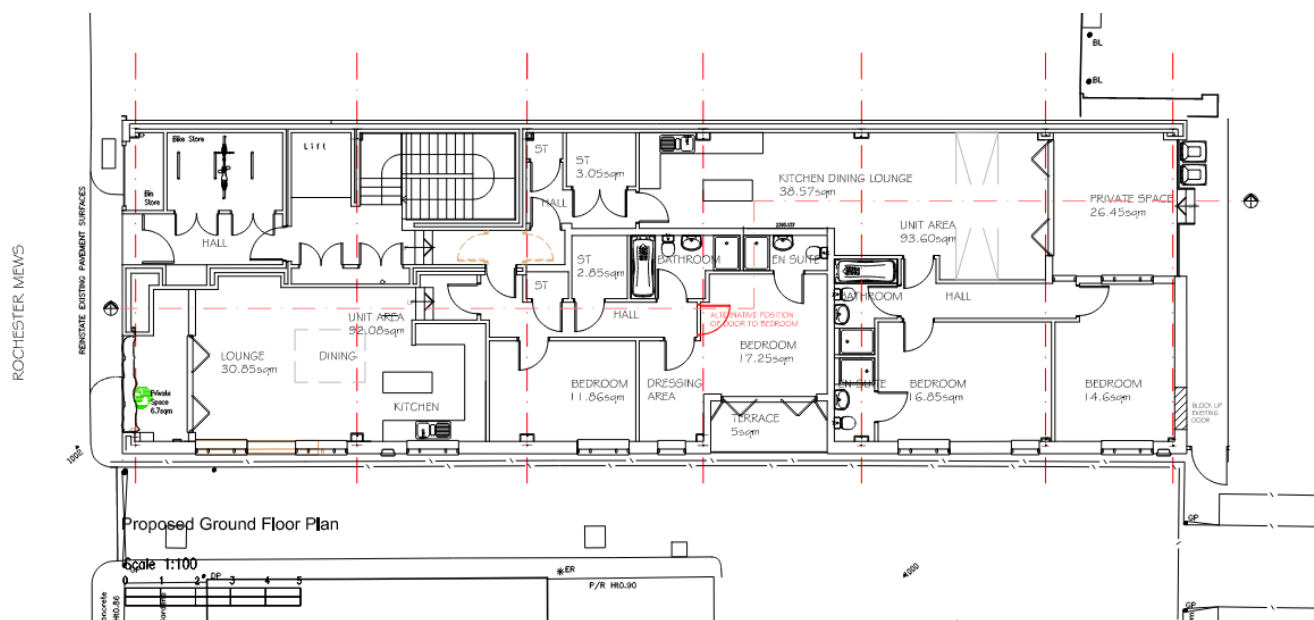


Photo 3 (above): Existing Ground Floor Plan



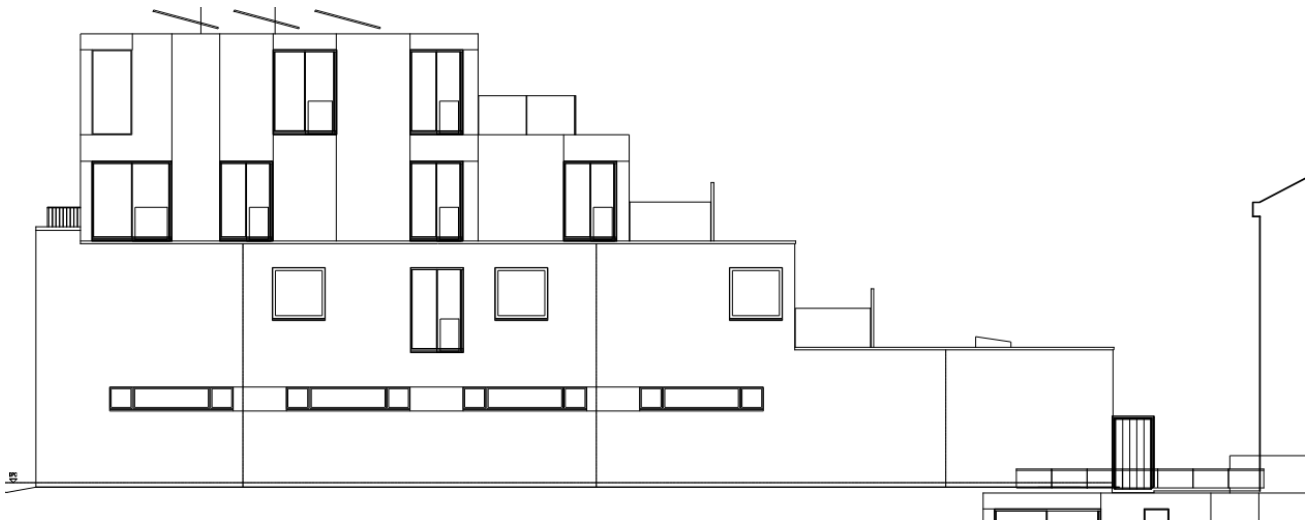


Photo 5 (above): Existing side elevation



Photo 6 (above): Proposed side elevation

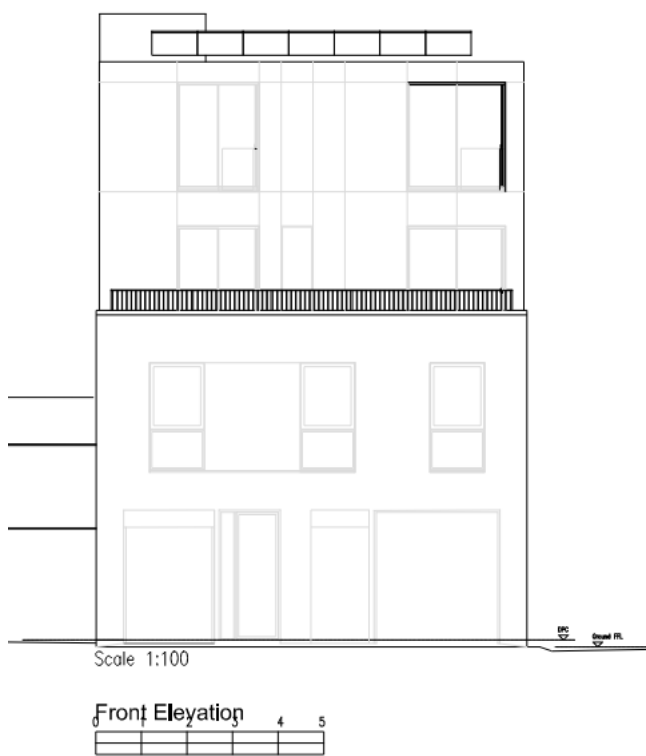
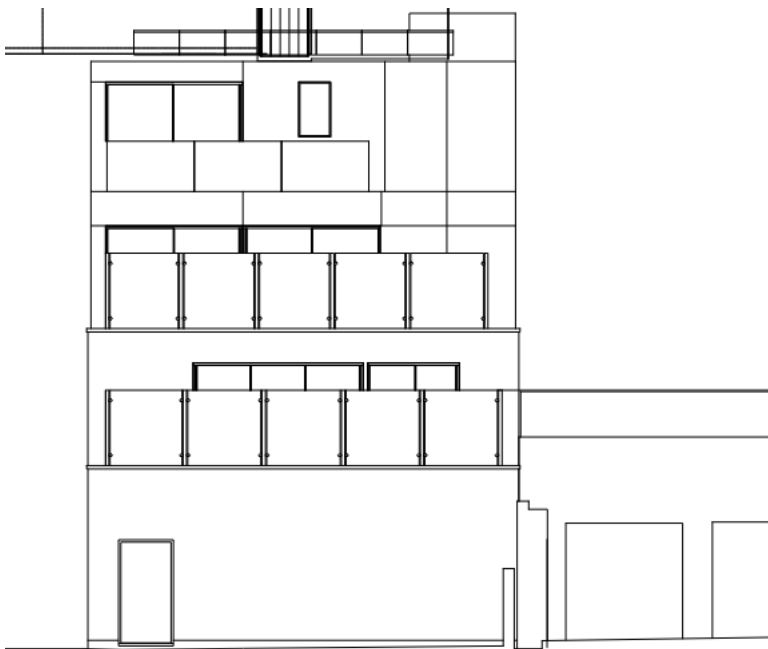


Photo 7 (above): Existing front elevation



Photo 8 (above): Proposed front elevation



Rear Elevation

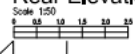
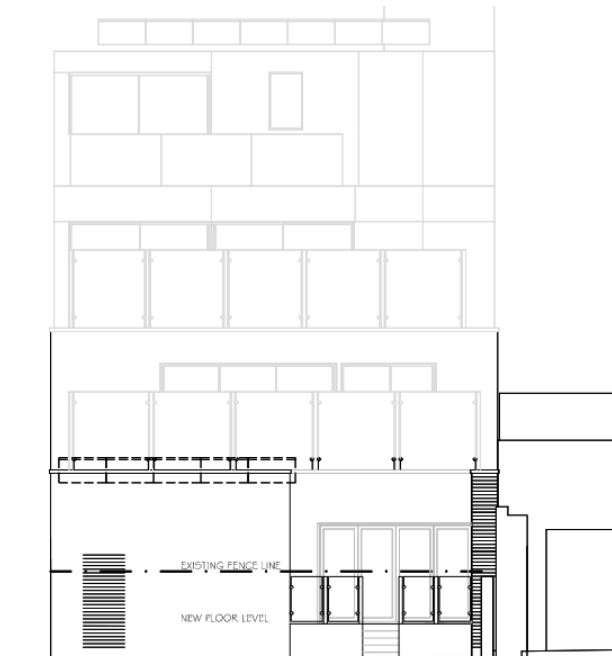


Photo 9 (above): Existing rear elevation



Proposed Rear Elevation

Scale 1:100

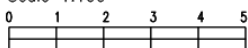


Photo 10 (above): Proposed rear elevation

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	25/12/2024
		N/A / attached		Consultation Expiry Date:	07/12/2024
Officer			Application Number(s)		
Lauren Ford			2024/4541/P		
Application Address			Drawing Numbers		
Ground floor unit 16 Rochester Mews NW1 9JB			See Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Change of use and conversion of existing commercial unit (Class E) at ground floor level to create 2 x two-bedroom flats (Class C3).					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Full planning permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notices					
Informatives:						
Consultations						
Summary of consultation:	Site notices were displayed at the site and in the vicinity of 83 Camden Road on 13/11/2024 (consultation end date 07/12/2024).					
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	0
			No. Electronic	00		
Summary of consultation responses:	No objections have been received from neighbouring residents.					
Rochester Conservation Area Advisory Committee	<p>The Rochester Conservation Area Advisory Committee has objected to the proposal. Their objection can be summarised as follows:</p> <ul style="list-style-type: none">The site should retain the approved warehouse facility with its ground floor vehicle entrance; the commercial use should be retained. <p><u>Officer Comment:</u></p> <ul style="list-style-type: none"><i>The proposed change of use from commercial (Class E) to residential (Class C3) is addressed in Section 3 below. Housing is a Council priority with respect to land use, and the applicant has demonstrated a lack of demand for the commercial space over an appropriate period of time as required by Local Plan Policy E2. In this instance, based on the information submitted, the proposed land use is considered acceptable.</i>					

Site Description

The application relates to the ground floor of a 4 storied building situated midway along Rochester Mews (on its eastern side). It is situated within a development which was permitted in 2014 (see 2014/5510/P in Planning History below). Its lawful use is commercial (Class E), however it has been vacant for several years.

The site is not within a Conservation area, and no listed buildings are affected. However, the application site is located directly opposite the boundary of Rochester Conservation Area.

Rochester Mews contains a mix of uses including residential and commercial. The surrounding uses are predominantly residential in character.

Relevant History

Application Site

2025/0509/PRE - *Change of use and conversion of existing commercial unit (Class E) at ground floor level to create 2x two-bedroom flats (Class C3), amenity space, access bin and cycle storage.* Pre-application advice issued - 29/05/2025.

2023/5456/P - *Change of use and conversion of existing commercial unit (Class E) at ground floor level to create 3x two-bedroom flats (Class C3), amenity space, access bin and cycle storage* - refused - 14/05/2024, appeal dismissed - 14/05/2024.

Reasons for refusal:

- *The proposed change of use, by virtue of the poor quality of accommodation due to layout, outlook, privacy and light, would fail to provide future occupants with an acceptable standard of accommodation and subsequent quality of life, contrary to policy D1 (Design) and H6 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.*
- *The proposed floor-to-ceiling windows would appear incongruous with the building, harming its character and appearance, and the appearance of the wider area, contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017.*
- *The proposed development, in the absence of a legal agreement securing an affordable housing contribution, would fail to maximise the supply of affordable housing to meet the needs of households unable to access market housing, contrary to Policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017.*
- *The proposed development, in the absence of a legal agreement securing car-free housing, would contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to Policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.*

2021/3354/P - *Change of use of the ground floor from Class B1/B8 to Class E.* Granted - 21/10/2021.

2014/5510/P - *Demolition of existing Class B1/B8 unit and erection of a 4 storey building containing replacement business space (Class B1/B8) on ground floor and five self-contained flats (Class C3) plus balconies on 1st-3rd floors.* Granted - 30/03/2015

Relevant policies

The London Plan (2021)

The National Planning Policy Framework (NPPF) (2024)

Camden Local Plan (2017)

Policy A1 – Managing the impact of development
Policy D1 – Design
Policy H1 – Maximising housing supply
Policy H7 – Large and small homes
Policy H4 – Maximising contribution to affordable housing
Policy H6 – Housing choice and mix
Policy E2 – Employment premises and sites
Policy CC5 – Waste
Policy T1 – Prioritising walking, cycling and public transport
Policy T2 – Parking and car-free development
Policy CC1 – Climate change mitigation
Policy CC2 – Adapting to climate change

Camden Planning Guidance (CPG)

CGP - Design
CPG - Amenity
CPG – Housing
CPG – Transport
CPG – Employment Sites & Business Premises
CPG – Developer's Contributions
CPG – Energy efficiency and adaptation

Draft Camden Local Plan

A [Submission Draft Camden Local Plan](#) (updated to take account of consultation responses) was reported to Cabinet on 2 April 2025 and the Council on 7 April 2025. The Council resolved to agree the Submission Draft Local Plan for publication and submission to the government for examination (following a further period of consultation). The Submission Draft is a significant material consideration in the determination of planning applications but still has limited weight at this stage.

Assessment

1. Proposal

- 1.1. The applicant seeks planning permission for a change of use and conversion of the existing vacant commercial unit (Class E) at ground floor level to create 2 x two-bedroom flats (Class C3).
- 1.2. The proposed drawings were revised during the course of the application (following Officer comments) as follows:
- The number of units was reduced from 3 to 2 and the unit layouts were revised as a result;
 - A raised floor level was incorporated; and
 - Changes were made to the size and design of windows and terraces.
- 1.3. These changes were made to address concerns regarding the standard of accommodation (privacy, outlook) and design (floor-to-ceiling windows).

2. Considerations

2.1. The planning issues to be considered are as follows:

- Land use
- Housing and quality of accommodation
- Design
- Amenity
- Transport
- Sustainability
- S106/CIL

3. Land Use (Loss of employment)

- 3.1. Camden Local Plan (CLP) Policy E2 states that the Council will resist the development of business premises and sites for non-business use unless it is demonstrated to the Council's satisfaction that: a. the site or building is no longer suitable for its existing business use; and b. that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time. Policy E1 states that the Council will support businesses of all sizes, maintain a stock of premises that are suitable for a variety of business activities, and safeguard existing employment sites and premises in the borough.
- 3.2. CPG Employment Sites and Business Premises states that the Council will require evidence of a marketing exercise to support any application involving the loss of employment uses. The minimum expectation for marketing exercises includes the use of a reputable agent, a visible letting board, marketing material published on the internet on popular online property websites, the lawful existing use featuring on any material, continuous marketing over a 2-year period, reasonable advertised rents for the local market and reasonable lease terms. In addition, a commentary on the number and details of enquiries received, including viewings and details of why the interest was not pursued, should be provided.
- 3.3. A range of marketing information (including a marketing report) has been submitted, with key points as follows:
- The subject building has been marketed since April 2021. Evidence has been provided showing it listed online from April 2021;

- A viewing schedule has been provided. This details the viewings carried out and why the building was discounted. These date from October 2021 to September 2023;
- The property has been marketed at a reduced rate;
- There is an oversupply of office space;
- Photographs showing visible letting board(s) have been provided;
- A letter dated 22nd July 2025 has been provided which confirms that the property is still on the market and there has been no interest in the property since the original marketing report.

3.4. The Rochester Conservation Area Advisory Committee has raised concerns surrounding the change of land use. Housing is a Council priority with respect to land use, and the applicant has demonstrated a lack of demand in the commercial space over an appropriate period of time as required by Local Plan Policy E2. In this instance, based on the information submitted, the proposed land use is considered acceptable.

3.5. Based on the above, it is considered that the loss of employment space is acceptable in this instance, as it has been sufficiently demonstrated a lack of demand for this space over an appropriate time period. Overall, it has been demonstrated that the site is no longer suitable for employment use. The proposal is therefore in accordance with Policy E2 of the Local Plan.

4. Housing & quality of accommodation

4.1. The NPPF indicates that applications for housing should be granted unless the adverse impacts would significantly and demonstrably outweigh their benefits when assessed against NPPF policies as a whole.

4.2. London Plan Policy H1 and Table 4.1, set a 10-year housing target for Camden of 10,380 additional homes from 2019/20 to 2028/29.

4.3. The proposed 2 new dwellings would be within a sustainable location on brownfield land, contributing towards the strategic objectives of the Local Plan and the Borough's need for housing.

4.4. CLP Policy H7 aims to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainability communities and reduce mismatches between housing needs and existing supply. The proposal would provide 2 x 2-bedroom units which are regarded as high priority on the dwelling size priorities table and as such, they would be consistent with Policy H7.

4.5. A payment-in-lieu for an affordable housing contribution will be secured via a section 106 legal agreement in accordance with policy H4. Based on the floorspace of 185.7 sq m (GIA), the proposal would have the capacity for 2 homes (4% target). On this basis, a payment-in-lieu of £37,140 is required.

4.6. In accordance with LP policy D6 and CLP policies H6 and D1, housing should be of high quality, with adequate unit and room sizes and dual-aspect dwellings maximised. CLP policies A2 and D6 encourage opportunities to provide private amenity space in developments. CLP policy A1 seeks to protect the amenity of occupiers in relation to several factors, including privacy, outlook, light, and noise. CLP policy A4 advises that suitable noise and vibration measures should be incorporated in new noise-sensitive development.

Daylight and sunlight

4.7. A daylight and sunlight report has been provided which confirms that the habitable rooms for both units meet BRE guidelines. While the BRE guidelines are not met with respect to the outdoor amenity areas, this is considered acceptable in this instance given the constraints of the existing building. Outdoor amenity areas are further discussed in paragraph 4.9 below.

Outlook

- 4.8. Both proposed units are dual aspect. While the level of outlook available is largely restricted by the location and layout of the existing building, given the window heights along the southern elevation as a result of the raised floor level, it is considered that an acceptable level of outlook would be provided to the proposed units.

Outdoor amenity space

- 4.9. Unit 1 (western unit) would be provided with 2 terraces, each exceeding 5 sq m and unit 2 (eastern unit) would be provided with an outdoor amenity space comprising 26 sqm. While the terrace for unit 1 fronting Rochester Mews would lack privacy from the Mews and outlook, the quality of this terrace is mitigated through the inclusion of a second terrace along the side elevation which is located approximately 0.6m above ground level.

Privacy

- 4.10. Given the raised floor level and subsequent location of windows along the side elevation (over 1.3m above ground level), the proposal does not raise any unacceptable privacy related impacts as views into these windows would be limited for both pedestrians and vehicles.

Nationally described space standards

- 4.11. Each unit exceeds 90m² and meets the Nationally Described Space Standards for 2-bedroom dwellings with respect to unit sizes and storage space.
- 4.12. The minimum floor to ceiling height is at least 2.3m for at least 75% of the gross internal area, as required by the Nationally Described Space Standards. The habitable rooms are well sized (meeting the dimensions in the Nationally Described Space Standards) with windows for light, outlook and ventilation.

5. Design

- 5.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features.
- 5.2. The proposed external changes are limited in scope, consisting of changes to windows and doors and the creation of terraces. The alterations in association with the formation of the front and rear terraces would not unduly harm the appearance of the development or the streetscene.
- 5.3. The proposed materials include brick to match the existing, aluminium windows, composite doors and dark coloured balustrades. The proposed alterations and materials are acceptable and would not detract from the visual amenity of the building or the area. As the alterations would involve new materials and treatments and the site lies opposite the Rochester Conservation Area, a condition to secure details of materials has been attached. The size and fenestration pattern of the windows along the side elevation are also considered in terms of appearance.

6. Amenity

- 6.1. Local Plan Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development on their amenity is fully considered. It seeks to ensure that

development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. Relevant to the application are overlooking, privacy, sunlight, daylight, overshadowing and outlook consideration.

6.2. With respect to amenity impacts on neighbouring properties, given the scope, nature and location of works, it is not considered that the proposal would result in any amenity related effects on nearby properties. The new windows in the side elevation would not give rise to any undue overlooking of any neighbouring habitable rooms or private amenity areas and the terraces would not result in undue noise or disturbance. In relation to the change of use, there is an existence of residential uses in the area, and there is no evidence to suggest that a residential use in this location would cause any unacceptable amenity impacts.

7. Transport

7.1. Policy T1 aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and finally improving links with public transport.

7.2. Given the lack of suitable cycle storage within each unit, a S106 cycle parking contribution of (£4,500/6 x 4=) £3,000 towards the provision of 4 spaces in a 6-space bike hangar within the vicinity of the site would be secured.

7.3. Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car free. The proposed units would be car-free in accordance with policy T2, secured via section 106 legal agreement.

8. Sustainability

8.1. Policy CC1 requires all development to reduce carbon dioxide emissions, supports and encourages sensitive energy efficiency improvements to existing buildings and expects all developments to optimise resource efficiency.

8.2. Policy CC2 requires all development to adopt appropriate climate change adaptation measures.

8.3. Policy CC3 seeks to ensure that development does not increase flood risk and reduces the risk of flooding where possible, through the incorporation of water efficiency measures.

8.4. No specific sustainability related measures or report have been submitted to demonstrate compliance with the minimum 19% below Part L of 2013 carbon reduction targets. A condition surrounding this has been attached. A condition for water efficiency (no more than 105 litres a day) has also been imposed.

9. Section 106/CIL

9.1. The following heads of term are required to be secured by S106 legal agreement:

- Affordable housing contribution of £37,140;
- Car-free development;
- Cycle parking contribution of £3,000 towards the provision of 4 spaces in a 6-space bike hangar within the vicinity of the site.

10. Recommendation

10.1. 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 4th August 2025, 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: 2024/4541/P
Contact: Lauren Ford
Tel: 020 7974 3040
Date: 30 July 2025

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

Phone: 020 7974 4444

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

Greenhayes Planning
Greenhayes Studio
106 Hastings Road
Battle
TN33 0TW
United Kingdom

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:

Ground floor unit
16 Rochester Mews
London
NW1 9JB

Proposal:

DECISION
Change of use and conversion of existing commercial unit (Class E) at ground floor level to create 2x two-bedroom flats (Class C3), including alterations to provide front and rear terraces and amended windows/treatments on side elevation.

Drawing Nos:

1337/50-A; 1337/22.B.

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 The development hereby permitted shall be carried out in accordance with the following approved plans 1337/50-A; 1337/22.B.

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

- 3 Before the relevant part of the work is begun, detailed drawings, or samples of the facin materials to be used on all elevtions shall be submitted to and approved in writing by the local planning authority.

The relevant part of the works shall be carried out in accordance with the details thus approved and permanently retained thereafter.

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

- 4 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, and 5 litres/person/day for external water use. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of development, full details in respect of the energy saving and sustainability measures to be employed shall be submitted to and approved by the local planning authority. The details shall include :

- i. a detailed scheme of measures at each stage of the energy hierarchy
- ii. the carbon savings achieved at each stage and overall savings at a minimum of 19%

The measures shall be fully provided in accordance with the approved details and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development meets targets for reduced carbon emissions and climate change mitigation measures in accordance with policies CC1 and CC2 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.

- 4 Biodiversity Net Gain (BNG) Informative (1/3):
The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because it is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).

- 5 Biodiversity Net Gain (BNG) Informative (2/3):
+ Summary of transitional arrangements and exemptions for biodiversity gain condition
The following are provided for information and may not apply to this permission:
1. The planning application was made before 12 February 2024.
 2. The planning permission is retrospective.
 3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
 4. The permission is exempt because of one or more of the reasons below:
 - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
 - The application is a Householder Application.
 - It is for development of a "Biodiversity Gain Site".
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
 - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

6 Biodiversity Net Gain (BNG) Informative (3/3):

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

+ The effect of section 73(2D) of the Town & Country Planning Act 1990

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

+ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

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

Supporting Communities Directorate