

# 20 Crediton Hill



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Location plan showing property in question in red, at the rear of the main building on Crediton Hill

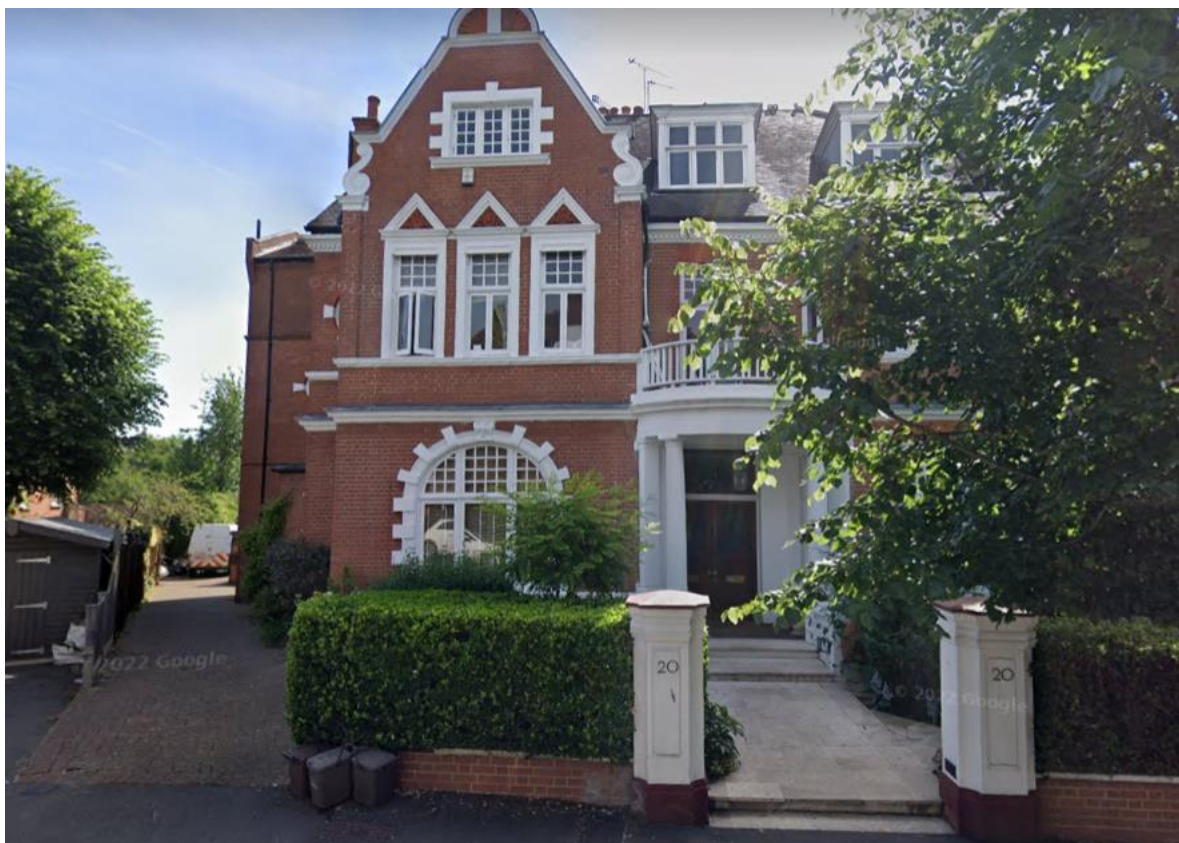
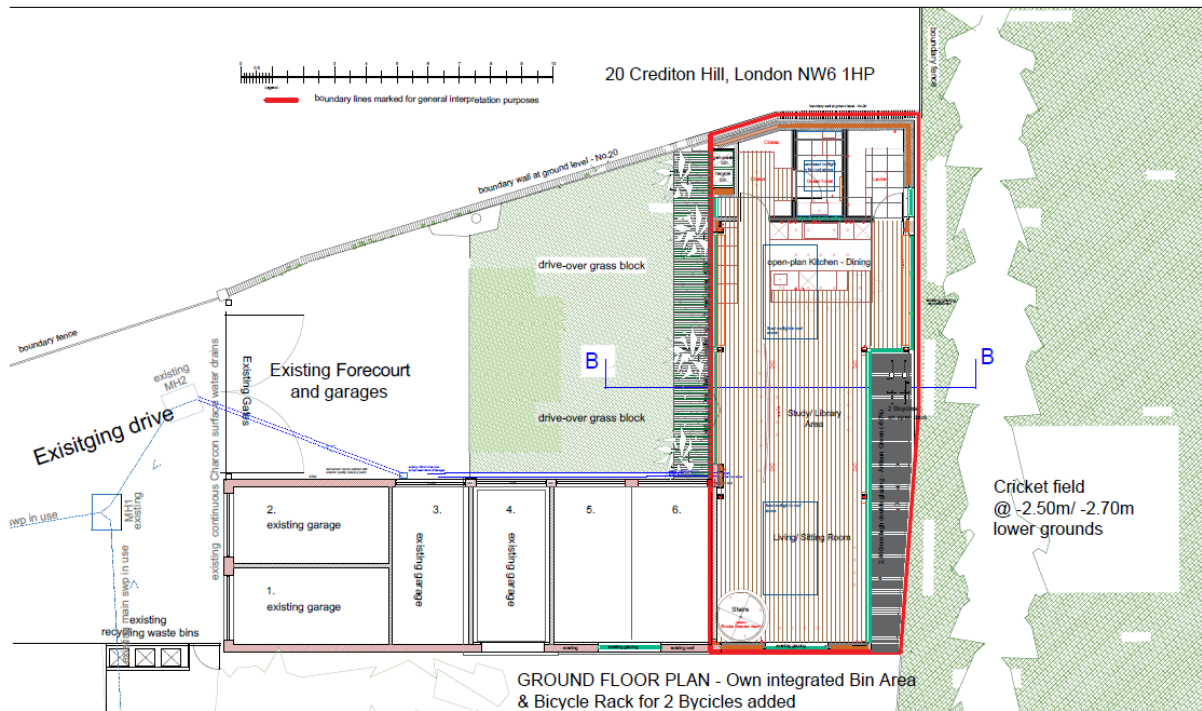
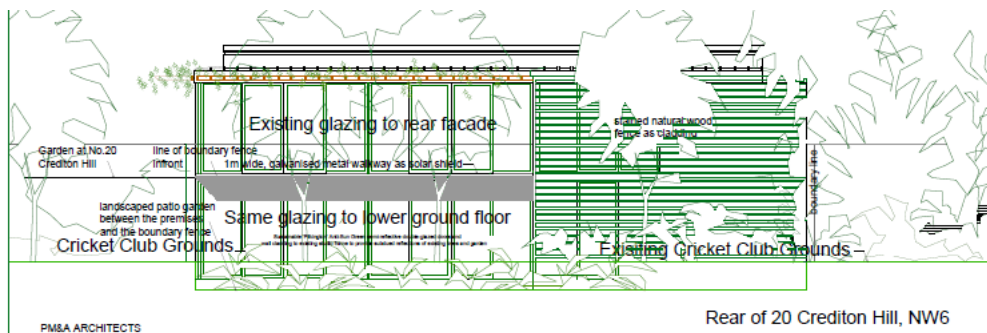


Photo of access lane to the application building, as well as existing garages



Plan showing the application building, the end of the drive and existing garages



Rear elevation of property

<b>Delegated Report</b> (Members Briefing)		Analysis sheet		Expiry Date:	15/06/2022
		N/A		Consultation Expiry Date:	
Officer			Application Number(s)		
David Fowler			2022/0743/P		
Application Address			Drawing Numbers		
20 Crediton Hill London NW6 1HP			See Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
<b>Proposal(s)</b>  Provision of a new basement extension below existing rear single-storey premises, minor amendments to rear ground floor, formation of new landscaped patio garden and use of the premises as a self-contained, stand-alone residential property.					
<b>Recommendation(s):</b>		Grant conditional planning permission subject to a Section 106 Agreement			
<b>Application Type:</b>		Full planning permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	13	No. of objections	13
Summary of consultation responses:	<p>A press notice was published in the Ham and High on 30/06/2022 (expiring on 24/07/2022). A site notice was erected on 29/06/2022 (expiring on 23/07/2022).</p> <p>13 objections have been received from neighbouring properties including residential properties at 20 Crediton Hill, raising the following issues:</p> <p>Land use/principle</p> <ul style="list-style-type: none"><li>• Council must have imposed the original condition to ensure the premises did not become a separate flat for a reason. Nothing has changed since the original application.</li><li>• Someone is living in the studio already – in contravention of the planning condition.</li></ul> <p><i>Officer's response – see 'Land use'. It is not expedient to initiate enforcement proceedings against the current use of the premises as a standalone dwelling, given that an application for this has been submitted. In the event of the application to be refused, enforcement proceeding would be initiated.</i></p> <p>Transport/disruption</p> <ul style="list-style-type: none"><li>• Access constraints. Construction would limit access to the garages located in front of the building in question.</li><li>• Could limit access to the communal garden.</li><li>• Disruption from building works</li></ul> <p><i>Officer's response – see 'Transport'. The physical works were granted under the 2018 application and the current application does not propose any further external works.</i></p> <p>Land ownership</p> <ul style="list-style-type: none"><li>• Applicant is selling the premises, including a terrace, parking spaces and a forecourt which does not belong to him.</li><li>• The applicant no longer owns Flat 4 – to which the building in question is ancillary.</li></ul> <p><i>See 'Transport and land ownership' section.</i></p> <p>Others</p> <ul style="list-style-type: none"><li>• Area is prone to flooding – building a basement will increase risk of flooding</li><li>• Large scale development could cause health issues to children</li><li>• Structural validity of proposals</li><li>• Have not received consultation letters from Camden</li><li>• Two garages were already converted as an extension to the ancillary studio without planning permission</li><li>• There is a long history of applicant making changes without planning permission</li></ul>			

	<i>Officer's response – the principle of the basement works were approved under the 2018 application. The application was advertised as per usual procedures. Officers have assessed the submitted application. Should any enforcement complaints be received, they will be investigated separately.</i>
<b>CAAC/Local groups comments:</b>	No response from CAAC or Fortune Green and West Hampstead Neighbourhood Forum.



## Site Description

The application relates to a single-storey building located at the end of a narrow driveway, beside a cluster of six garages. The driveway is accessed to the side of the original building at 20 Crediton Hill. The building, which is the subject of this application, was owned and used by a flat within the main block of 20 Crediton Hill and used as ancillary office space to this flat. The existing building was granted permission in 1985 (see history below). A basement extension was granted in 2018. The premises are not connected to the main building and are indeed located approximately 10m away from the main building, with a communal garden and communal driveway in-between.

The site is located within the West End Green Conservation Area.

To the rear of the site is Hampstead and Cumberland sports pitches, which are designated as Local Plan Open Space. There is a significant drop in the land at the rear, with the pitches much lower than ground level at the entrance to the application building.

## Relevant History

2018/1012/P – Permission granted for “Provision of a new basement extension below existing rear single-storey premises, minor amendments to rear ground floor, formation of new landscaped patio garden.” Dated 02/10/2018.

2007/2959/P – Permission granted for “Retention of basement level accommodation beneath existing garage for ancillary storage.” Dated 03/09/2007.

9005578 – Permission refused for “Enlargement of existing Conservatory/Play room and repositioning of two garages”. Dated 22/11/1990.

8803674 - Permission refused for “The erection of a first floor flat on top of existing garages on land to the rear of 20 Crediton Hill”. Dated 01/03/1988.

8501896 – Permission granted for “Erection of a single-storey conservatory in the North-East corner of the site adjoining an existing garage block.” Dated 18/12/1985.

9107 – Permission granted for “The erection of three lock-up garages and the formation of a new vehicle access to the highway at 20, Crediton Hill, Hampstead, with elevations.” Dated 28/06/1956.

## Relevant policies

### NPPF 2021

### London Plan 2021

### Camden Local Plan 2017

Policy H1 Maximising housing supply

Policy H3 Protecting existing homes

Policy H4 Maximising the supply of affordable housing

Policy H7 Large and small homes

Policy A1 Managing the impact of development

Policy A4 Noise and vibration

Policy A5 Basements

Policy CC3 Water and flooding

Policy C5 Safety and Security

Policy D1 Design

Policy D2 Heritage

Policy T1 Prioritising cycling, walking and public transport

## Camden Planning Guidance

Amenity

Basements

Transport

## Fortune Green and West Hampstead Neighbourhood Plan 2015

Policy 1 Housing

Policy 7 Sustainable Transport

## Assessment

### 1. Proposal

- 1.1. This application is to change the premises from an office ancillary to an existing flat at 20 Crediton Hill, to a standalone house. The application also involves the provision of a new basement extension below existing rear single-storey premises, minor amendments to rear ground floor, formation of new landscaped patio garden. All of these amendments were previously approved under the 2018 application and this application was implemented. The physical works are included in this application for the sake of clarity. The existing ground floor has a floorspace of 93.5sqm and the approved lower ground floor has a floorspace of 97.3sqm.
- 1.2. The basement works approved under the previous application are largely completed.
- 1.3. A condition was attached to the previous permission stating that the premises could not be used as a standalone property. This would not be attached under the proposed current application. All other conditions attached to that application are attached to this application.

### 2. Assessment

The following issues are relevant to the determination of this application:

- Land use/principle of development
- Affordable housing
- Amenity of the proposed dwelling
- Conservation and design
- Amenity of neighbours
- Transport and land ownership

#### Land use/principle of development

- 2.1. At present, the building has permission to be used as ancillary offices for the residential flat, as was granted under the 1985 permission (see history). The report for this application stated that *“Whilst granting the extension would make it more possible for the building to become a separate planning unit and a separate dwelling, this would require further planning permission. Officers note that residential premises can become lawful if used for 4 years or more. Therefore, a condition is attached to ensure that the premises do not convert to a standalone dwelling without planning permission”*.
- 2.2. The aforementioned condition was attached to prohibit the use of the premises as a standalone residential property, not because this was considered unacceptable, but as this would require further assessment and would trigger section 106 clauses for affordable housing and car-free (see relevant sections below).
- 2.3. Policy H1 of the Camden Local Plan and Policy 1 of the Fortune Green and West Hampstead Neighbourhood Plan encourages the provision of housing. Housing is the Council's priority land use and is welcomed in principle in land use terms.



### Affordable housing

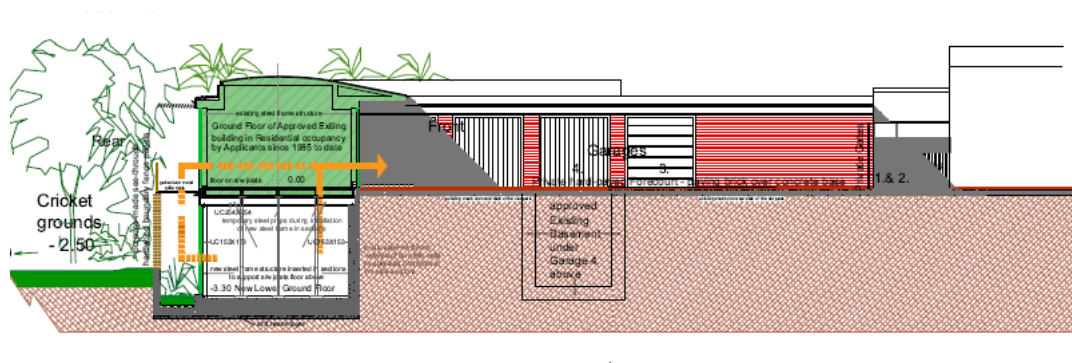
- 2.4. Policy H4 of the Camden Local Plan secures an affordable housing contribution for all developments that provide one or more additional homes. Targets are based on 100sqm creating capacity for one home. The floorspace of the new proposed home would be 190.8sqm. The affordable housing contribution calculates as £20,140, this is therefore proposed to be secured via a section 106 agreement.

### Amenity of the proposed dwelling

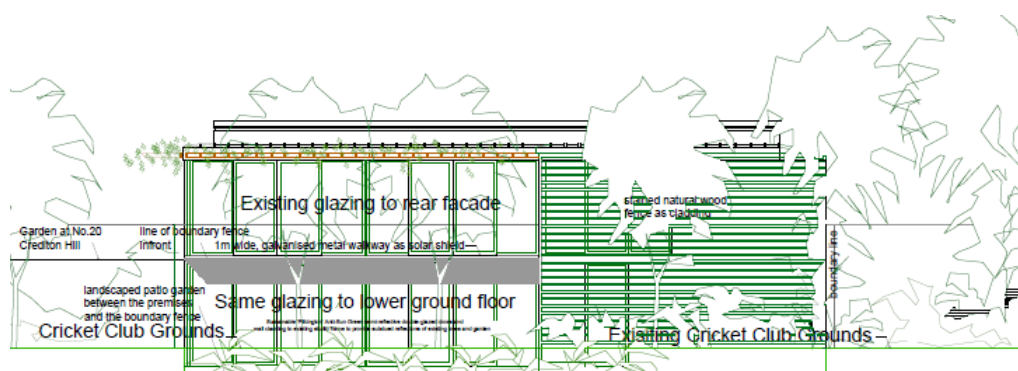
- 2.5. Camden Local Plan policy H6 is relevant with regards to the amenity of proposed housing.
- 2.6. The proposed dwelling would have a floorspace of 190.8sqm – well above the space standards. The dwelling would enjoy good light and aspect. The premises have an open deck to the rear, which would provide external space.

### Conservation and design

- 2.7. There are no further external alterations proposed than what was approved under the 2018 application. These alterations have already been assessed and deemed acceptable in conservation and design terms, no changes have been made to planning policy since this time and therefore no further consideration is required.



Rear elevation – prior to original application



Rear elevation as approved (and proposed under this application)

### Amenity of neighbours

- 2.8. The building is not located directly adjacent to any other residential buildings. There would be no impact in terms of loss of privacy from the use of the premises as a standalone dwelling. The building does not directly face any other residential buildings. The closest buildings are the private garages at the front of the site. The main building for 20 Crediton Hill is located on the other side of these garages.

### Transport and land ownership

- 2.9. In accordance with Policy T2 of the adopted Camden Local Plan, the converted residential

unit would be secured as on-street residents parking permit free by means of a Section 106 Agreement. This will prevent the future occupants from adding to existing on-street parking problems, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. The applicant has indicated their willingness to enter into such an agreement, which is welcomed.

- 2.10. A revised ground floor plan was obtained during the course of the application, removing the car turning circle On the forecourt in front of the building. This was not included in the original application either. Given the proposals are car free, a car turning circle would be necessary,
- 2.11. In line with Policy T1 of the adopted Camden Local Plan, officers expect cycle parking at new developments to be provided in accordance with the standards set out in the London Plan. For residential units with 2 or more bedrooms, the requirement is for 2 spaces. There is sufficient space on the ground floor rear outside patio deck to accommodate 2 cycles, which meets the required standard. Although no actual stand is being provided, given the location of the cycle parking, above the lower ground floor patio and the level of the adjacent sports pitches, it is considered by its nature to be sufficiently secure. It is not consider necessary to secure the provision of cycle parking by condition.
- 2.12. The basement work development is largely completed). It is therefore not necessary to secure a Construction Management Plan or associated Implementation Support Contribution for this development.
- 2.13. The issues of land ownership raised by neighbours, are civil matters and not planning issues.

#### Trees

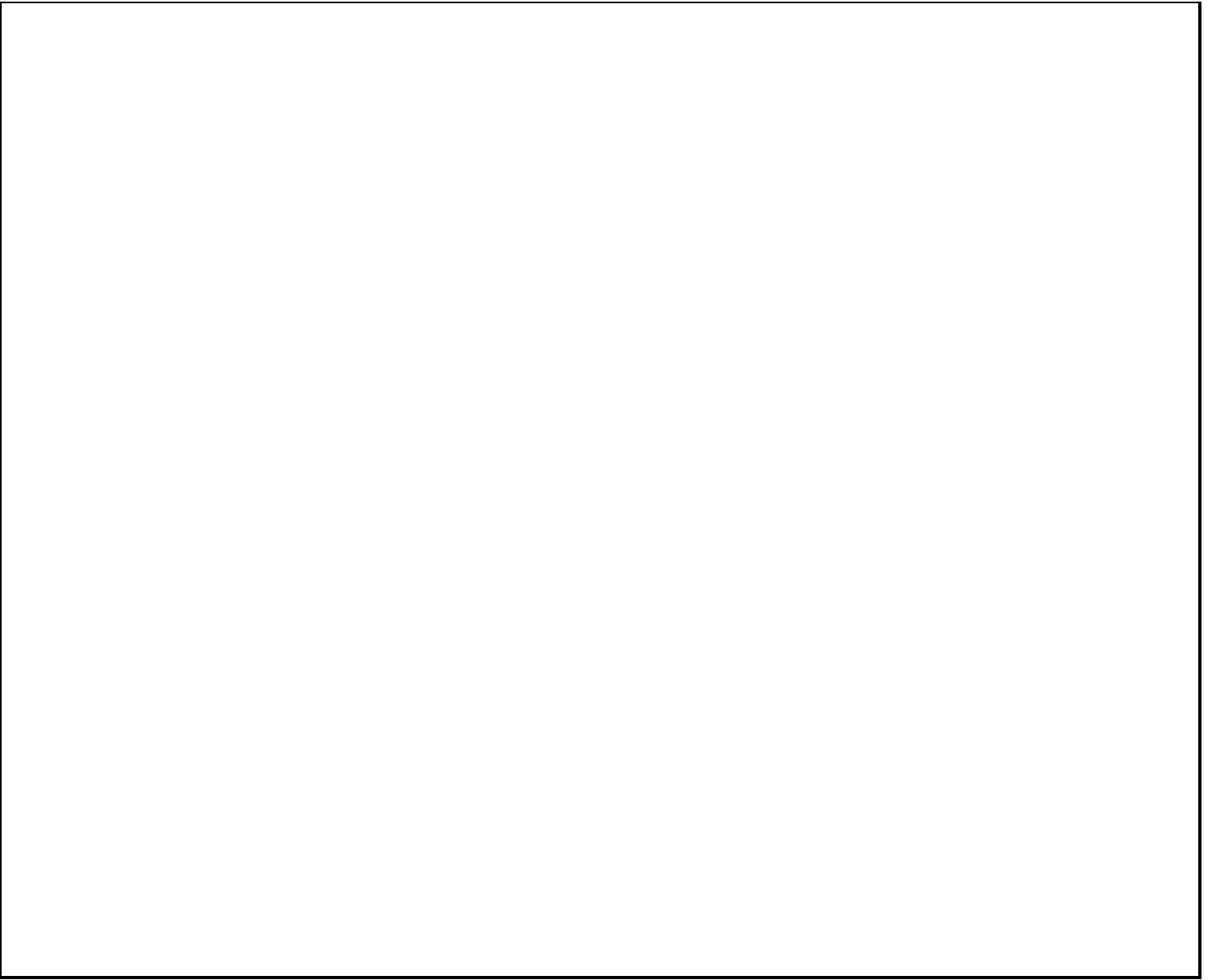
- 2.14. Any impact on trees was assessed under the original application. There would be no further impact on trees in the current application, given there are no further external changes proposed. A condition is attached that the works are in accordance with the tree protection details previously approved.

### **3. Recommendation**

- 3.1. Grant conditional planning permission subject to a Section 106 Agreement.

### **DISCLAIMER**

**The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 6<sup>th</sup> March 2023, 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'.**



Application ref: 2022/0743/P  
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Date: 28 February 2023

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Mr. Predrag Maric  
Studio 1 - 9  
20 Crediton Hill  
London  
NW6 1HP

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**20 Crediton Hill  
London  
NW6 1HP**

Proposal:

Provision of a new basement extension below existing rear single-storey premises, minor amendments to rear ground floor, formation of new landscaped patio garden and use of the premises as a self-contained, stand-alone residential property.

Drawing Nos: A4 site location plan, 20CHill/04.B.3, 20CHill/04.B.2, 20CHill/23, 20CHill/09 - 1, 20CHill/30-B, 20CHill/18-C, 1174 03.

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:

A4 site location plan, 20CHill/04.B.3, 20CHill/04.B.2, 20CHill/23, 20CHill/09 -1, 20CHill/30-B, 20CHill/18-C, 1174 03.

Reason:

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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

- 4 Tree protection  
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 Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in relation to design demolition and construction". All trees on the site, 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.

- 5 Tree protection  
All works shall be carried out in accordance with the approved tree protection details - planning reference 2021/1012/P dated 10 August 2022.

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.

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 proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at [www.camden.gov.uk/cil](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 4 Air condition units require planning permission and the installation of any unauthorised units will be the subject of enforcement action.

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