

16.0 **Appendix E**

Planning Application Ref: 2017/0357/P



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Contact: Obote Hope
Tel: 020 7974 2555
Date: 26 March 2019

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

Wharmby Kozdon Architects
42 Alfriston Road
London
SW116NN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
118 Malden Road
London
NW5 4BY

Proposal:

Erection of a single storey first floor rear extension, mansard roof extension with terrace, the conversion of the Doctors Surgery (Class D1) into residential flats (Class C3), consisting of 1 x 2Bed maisonette at lower-ground and ground floor level, 1 x 1Bed first floor flat and 1 x 2Bed maisonette at second and third floor level and replacement of the existing shopfront.

Drawing Nos: MR SK 101, MR SK 102, MR SK 103, MR SK 104, MR SK 106, MR SK 107 REVB, MR SK 108, MR SK 109, MR SK 110 REVB, MR SK 111 REVB, MR SK 112, MR SK 114, Addendum to Design and Access Statement Dated 9th March 2017, Detailed Building History no date, Sustainability Statement Dated November 2016, Design and Access Statement Revision A Dated April 2017, Statement from Day Morris Estate Agency dated 08th August 2017, Ordinance Survey Map and Basement Impact Assessment dated November 2016, Waste Minimisation Statement dated November 2016, Daylight sunlight assessment dated 2 November 2017.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 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: MR SK 101, MR SK 102, MR SK 103, MR SK 104, MR SK 106, MR SK 107 REVB, MR SK 108, MR SK 109, MR SK 110 REVB, MR SK 111 REVB, MR SK 112, MR SK 114, Addendum to Design and Access Statement Dated 9th March 2017, Detailed Building History no date, Sustainability Statement Dated November 2016, Design and Access Statement Revision A Dated April 2017, Statement from Day Morris Estate Agency dated 08th August 2017, Ordinance Survey Map and Basement Impact Assessment dated November 2016, Waste Minimisation Statement dated November 2016, Daylight sunlight assessment dated 2 November 2017.

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

- 4 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

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

- 5 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/construction] phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies G1, A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reason for granting planning permission:

Planning permission is sought for the erection of a single storey first floor rear extension, a mansard roof extension and the conversion of the Doctors Surgery (Class D1) into residential use (Class C3). The residential mix would consist of 1 x 2Bed maisonette at lower-ground and ground floor level, 1 x 1Bed first floor flat and 1 x 2Bed maisonette at second and third floor levels.

The proposed first floor extension would project outwards into the existing terrace area measuring approximately 6.8m deep, between 2.4 to 5.5m wide and 2.7 to 3.5 m high, which would be within the same footprint of the host building and would be set back from the boundary of 120 Malden Road by approximately 3.0m. A portion of the original roof terrace would be retained measuring approximately 2.0m in width x 2.0 m in depth. The height of the new roof would be set level with the roof of the existing first floor extension at 116 Malden Road but lower than the extension at 131 Queen's Crescent to the rear.

The proposed mansard roof extension would not be compliant to the SPG design. The roof extension would not meet the recommended guidance of being built with a 70 degrees lower sloop that rising from behind the parapet wall. However, the proposal would be largely obscured from the public view. Furthermore, there would set back from the front parapet wall by a metre which minimise any visual impact. Considering both 114 and 116 Malden Road were granted consent for a mansard roof extensions (2013/0350/P). It is considered, the erection of mansard roof extension to 118 would offer uniformity and cohesion to the wider area. The new roof extension would retain the existing parapet to the front and the existing butterfly parapet wall to the rear. The proposed roof would be finished in natural slate with painted white timber framed double glazed windows and doors.

The proposed conversion of the doctor's surgery to residential would be acceptable in principle. The premises has been relocated to 76 Queens Road and has been combined with the 118 Malden Road forming a part of Kentish Town Health Centre the details has been verified on the NHS website and in this instance the proposal would not result in a shortfall in provision for the doctors surgery which has been close since April 2016. A statement from local estate agency suggest the uptake for commercial property is very low given the poor structural and physical condition the unit would not be viable for any other community use. In addition, any other community use would absorb a large cost for any necessary repairs.

A daylight/sunlight report was submitted which confirms the proposed development design achieves acceptable daylight/sunlight. As such, all rooms would be in compliant with the BRE recommendations. All rooms would be adequately sized and all the bedrooms would be larger than 11.5sqm for double bedrooms in the DCLG space standards. The flats would be double aspect with good outlook, access to sunlight and daylight and natural ventilation due large lightwells and the large windows.

- 2 The shop front would be replaced with a new bay window and timber framed door no objection is raised in regards to the proposal design or appearance.

The residential extension would not project higher than the existing parapet wall with no.116 Malden Road and would be set-back by 4.4m with no. 120 Malden Road. The proposed first floor window would not impact upon no.131 Queens crescent in terms of loss of privacy given there is blank wall to the rear of the single storey rear addition. The window to the flank elevation would face the blank wall with no.120 Malden Road. Thus, the neighbouring properties would not be impacted in terms of daylight/sunlight nor contribute to a sense of enclosure. In terms of outlook and the loss of privacy there would not be any additional impact. As such, would accord to A1 of the Local Plan 2017.

Local Plan policy H4 requires a contribution to affordable housing from all developments providing one or more additional residential units with an increase in floorspace of 100m² (GIA) or more. Schemes providing between 1-9 units are expected to make a payment in lieu (PIL) of affordable housing, subject to viability. The target is applied to gross external area as opposed to gross internal area. The gross external area is calculated as 226sqm and the target would be 4 percent due to the 3 flats being created, based on capacity when rounded off to the nearest 100sqm a PIL of £23, 596 would be required and secured via a Section 106 legal agreement.

The site is located in PTAL 3 with medium level of accessibility by public transport, as such, the proposal would be "car free" and would be secured by s106 legal agreement in accordance with T2 of the Local Plan 2017. Storage facility for 5 x cycle provision would be provided inside the hall, which would be accessible and secure at ground floor level in accordance with policy T1.

No objection/comments were received prior to making this decision. The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1 and D1, C2, D1, H2, T1 and T2, of the Camden Local Plan 2017, and policies in the London Plan 2016, relevant paragraphs of the National Policy Framework.

- 3 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 Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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.

- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 5 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.
- 6 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 7 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 8 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposal by its size and land use type is liable for the London Borough of Camden's Community Infrastructure Levy (CIL) introduced on the 1st April 2015 to help pay for local infrastructure. Based on the information given on the CIL form £650 (50 x 13sqm), for the Mayor's CIL Charging Schedule which helps fund Crossrail introduced on 1st April 2012. Based on the Camden Charging Schedule, the charge is likely to be £6,500 (13sqm x £500).

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer