

2024/4726/P

115 Priory Road



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2024/4726/P

115 Priory Road

Photos and Plans



Fig 1. Aerial view of 115 Priory Road.

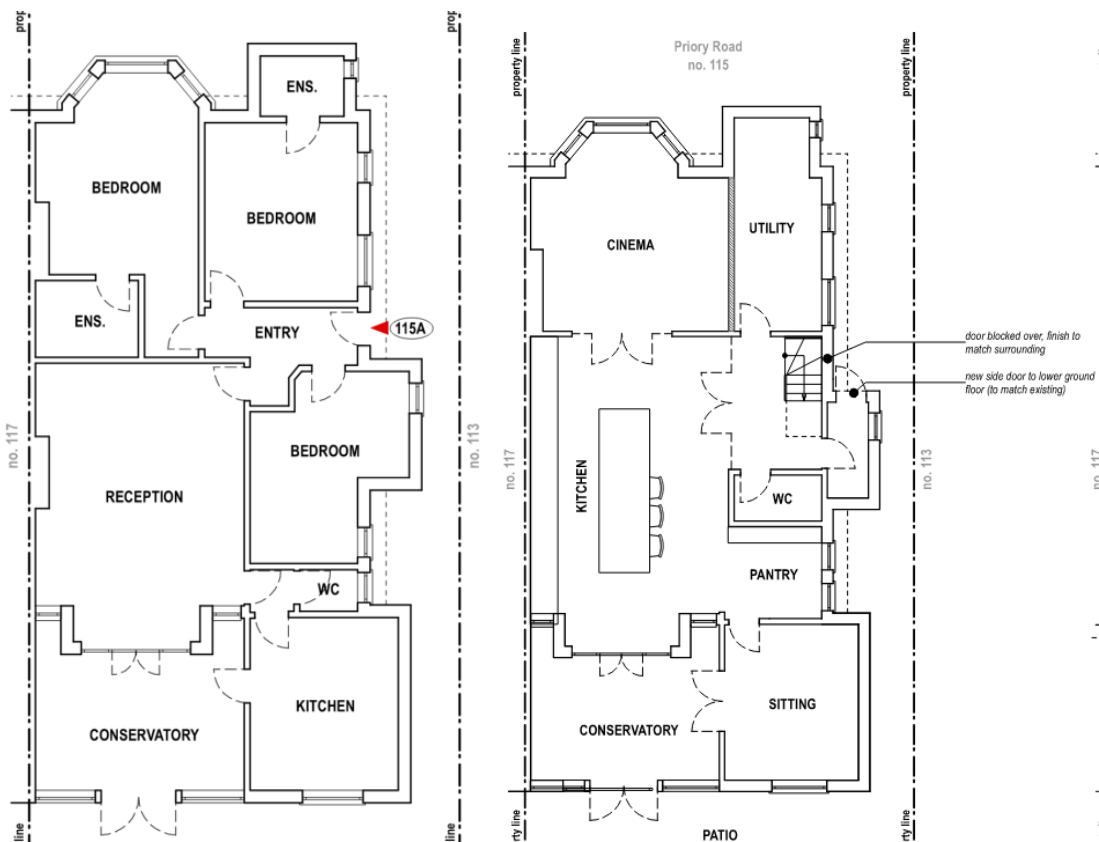


Fig 2. Existing (left) and proposed (right) lower ground floor plans.

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Photos and Plans



Fig 3. Existing side elevation.



Fig 4. Proposed side elevation.

Delegated Report		Analysis sheet		Expiry Date:		23/12/2024		
(Members Briefing)		N/A / attached		Consultation Expiry Date:		01/12/2024		
Officer				Application Number(s)				
Daren Zuk				2024/4726/P				
Application Address				Drawing Numbers				
115 Priory Road London NW6 3NN				See draft decision notice				
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature		
Proposal(s)								
Amalgamation of the existing two flats into one single dwellinghouse (Class C3); relocation of external door at lower ground floor side elevation.								
Recommendation(s):		Grant conditional planning permission						
Application Type:		Full Planning Permission						
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice						
Informatives:								
Consultations								
Adjoining Occupiers:		No. notified	00	No. of responses		00	No. of objections	00
Summary of consultation responses:		Site Notice: displayed 01/11/2024, expired 25/11/2024 Press Notice: published 07/11/2024, expired 01/12/2024 No responses were received following statutory consultation.						
Fortune Green & West Hampstead Neighbourhood Forum		The Fortune Green & West Hampstead Neighbourhood Forum were consulted but did not provide a response.						
C.R.A.S.H		A letter of objection was received on behalf of the Combined Residents Association of South Hampstead (C.R.A.S.H). Their objection comments can be summarised as follows: 1. Concerns regarding the loss of one residential unit.						

2. The alterations would not result in any community benefit.

Officer's Response:

1) *The acceptability of the amalgamation of the two units into one are discussed in Section 3.*

Site Description

The application site is located on the west side of Priory Road, south of the junction with Broadhurst Gardens. It comprises a semi-detached building which has been subdivided into two self-contained flats. The site is not statutorily or locally listed but located within the South Hampstead Conservation Area and the Fortune Green & West Hampstead Neighbourhood Plan area.

Relevant History

9300537 – Existing use for one house as four dwellings. (Plans submitted). **Grant Established Use Certificate 14/01/1994**

9300538 – Conversion of the first and second flats to two self-contained flats the replacement of an existing rear dormer and the construction of a second rear dormer. As shown on drawing numbers 115/PR - 01-04 inc; 05A 06A revised on 02.07.93. **Granted 14/01/1994**

Relevant Policies

National Planning Policy Framework (2023), Draft National Planning Policy Framework (2024)

The London Plan (2021)

Camden Local Plan (2017)

- H3 Protecting Existing Homes
- A1 Amenity
- D1 Design
- D2 Heritage

Draft Camden Local Plan

The council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Camden Planning Guidance

- CPG (Amenity)
- CPG (Design)
- CPG (Housing)

Fortune Green & West Hampstead Neighbourhood Plan (2015)

- Policy 1: Housing
- Policy 2: Design & Character

South Hampstead Conservation Area Appraisal and Management Strategy (2011)

Assessment

1. Proposal

1.1. Planning permission is sought for the:

- Amalgamation of the existing two self-contained flats into one single dwellinghouse; and
- Relocation of an external door along the lower ground floor side elevation.

2. Planning Considerations

2.1. The key considerations material to the determination of this application are as follows:

- Land Use
- Design and Conservation
- Amenity

3. Land Use

3.1. The proposal involves the amalgamation of the existing two self-contained flats into a single dwelling house, resulting in the loss of one residential unit. Local Plan policy H3 seeks to resist development that would involve the net loss of two or more homes (from individual or cumulative proposals). The loss of one residential unit is therefore supported and considered policy compliant.

4. Design and Conservation

4.1. 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. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation.

4.2. The proposed external alterations to the building to facilitate the subdivision into two self-contained units would be minimal and are concentrated to the side elevation at lower ground floor level. An existing external door is to be relocated to facilitate a new internal staircase from lower ground to ground floor level. The relocated door is considered to be in an appropriate location and will not unduly impact the character and appearance of the historic host building or wider Conservation Area.

4.3. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the South Hampstead Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

5. Amenity

5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting planning permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, and implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development.

5.2. Given the scale and scope of the proposed works, they not considered to lead to a significant impact upon the amenities of any neighbouring resident with regards to loss of daylight/sunlight, outlook, or privacy. The development is thus considered to be in accordance with planning Policy A1.

6. Conclusion and Recommendations

6.1. As such, the proposed development is in general accordance with policies A1, D1, D2, and H3 of the Camden Local Plan 2017 and policies 1 and 2 of the Fortune Green & West Hampstead Neighbourhood Plan 2015. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

6.2. It is recommended the application be granted 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 9th December 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: 2024/4726/P
Contact: Daren Zuk
Tel: 020 7974 3368
Email: Daren.Zuk@camden.gov.uk
Date: 2 December 2024

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

betterPAD
31 Melbourne Grove
London
SE22 8RG

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
115 Priory Road
London
NW6 3NN

Proposal: Amalgamation of the existing two flats into one single dwellinghouse (Class C3); relocation of external door at lower ground floor side elevation.

Drawing Nos: PL.00, PL.01, PL.02, PL.03, PL.04, PL.05, PL.06, PL.07, PL.08, PL.09,
Design and Access Statement (prepared by BetterPAD, dated 28 October 2024)

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:

PL.00, PL.01, PL.02, PL.03, PL.04, PL.05, PL.06, PL.07, PL.08, PL.09, Design and Access Statement (prepared by BetterPAD, dated 28 October 2024)

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 policies D1 and D2 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 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 (1/2):

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).

++ 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).

5 Biodiversity Net Gain (BNG) Informative (2/2):

+ 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 and 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 the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

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

Yours faithfully

Chief Planning Officer