

DISCLAIMER

Decision route to be decided by nominated members on Monday 22nd March 2010. For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	22/03/2010
		N/A	Consultation Expiry Date:	26/02/2010
Officer			Application Number(s)	
Jennifer Walsh			2009/5731/P	
Application Address			Drawing Numbers	
3 Baptist Gardens London NW5 4ET			Please refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Temporary change of use from single family dwelling house to maisonette on ground and first floor and self-contained flat on lower ground floor level for a period of 12 months.				
Recommendation(s):		Grant Retrospective Planning Permission		
Application Type:		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	04	No. of responses	02	No. of objections	02
			No. Electronic	00		
Summary of consultation responses:	<p>2 Baptist Gardens object to the application on the following grounds:</p> <ul style="list-style-type: none"> - Concern that Camden Council will ensure that all regulations are adhered to and enforced. - The fact that it is only for 12 months is not the issue. This concerns adjacent properties. And that this is not a precedent. <p><i>Officers Response Please refer to para. 2.2</i></p> <ul style="list-style-type: none"> - There are already at least 3 separate flats in No 1 Baptist Gardens. We do not want to live between HMO's. <p>4 Baptist Gardens object to the application on the following grounds:</p> <ul style="list-style-type: none"> - The conversion has already taken place without permission. Other works have been performed outside permissions and to the detriment of neighbours. <p><i>Officers Response: There are no external alterations included within this proposal.</i></p> <ul style="list-style-type: none"> - Intensification. There are 6 residents in the house as a whole. Which is crowded – it is a small house. <p><i>Officers Response: Please refer to para. 2.2</i></p> <ul style="list-style-type: none"> - HMO and Fire Regulations: There is concern that fire regulations have not been observed in the conversion. There is a need for fireproofing between the two properties. <p><i>Officers Response: This is not fall under the demise of planning permission</i></p> <ul style="list-style-type: none"> - Comments agreed as to the original applications were not included in the permissions granted – and the planning process took place without necessary consultation in the area. <i>Officers Response: In regards to the previous application 2008/5001/P, 6 neighbours were consulted 3 neighbours replied to the consultation, (No. 2 and 4 Baptist Gardens and 10 St. Anns Gardens) and their comments are clearly stated in the Summary of Consultation Responses within the Officers Report for the previous application.</i> 					
CAAC/Local groups comments:	N/A					
Site Description						
3 Baptist Gardens is a three storey terraced house on the south side of Baptist Gardens, in occupation as a single family dwelling. The site is not listed nor does it lie within a conservation area.						

Relevant History

2008/5001/P: Additions and alterations to existing dwelling house including the erection of a mansard roof extension, two storey part width rear extension and a new conservatory to the rear lower ground floor level. GRANTED 16/12/2008

Relevant policies

Unitary Development Plan 2006

B1 – General development principles
SD6 – Amenity for neighbours and occupiers
H1 – New Housing
H3 – Protecting existing housing
H7 – Lifetimes homes
H8 – Housing mix

Camden Planning Guidance 2006

Assessment

1.0 Proposal

1.1 The application seeks a temporary change of use from one 3 bedroom single family dwelling house to two units which comprise of 1 x one bedroom lower ground floor self contained unit, and 1 x 2 bedroom maisonette. The application does not include any external alterations.

2.0 Change of use

2.1 The application has arisen following an enforcement case at the property. Building work is currently underway throughout the whole property, and as a result the internal stair case has been removed which links the ground floor to the lower ground floor. Considering that there is no internal link between the ground floor and the lower ground floor then a self contained unit has been created. Once the internal stairs are reinstated then the property would revert back to a single family dwelling house. There is an existing kitchen, bathroom, sitting room and a bedroom at lower ground floor level. The lower ground floor has separate access from the street level. The applicants are seeking to utilise the lower ground floor level as a self contained unit for a temporary period for one year. The internal staircase would be reinstated after one year and the property used as a single family dwellinghouse.

2.2 The proposed additional unit needs to be assessed under Policies H1 – New housing, H3 – Protecting existing housing and H8 – Mix of units. The Council aims to increase the amount of housing in Camden and provide a range of accommodation. The proposal will involve the loss of a family sized dwelling yet a smaller unit with a good standard of residential accommodation would be provided. The proposal is considered to be in line with Policy H3 as it does not involve the loss of two or more residential units. However, Policy H8 states that the conversion of a property to provide one bedroom flats will generally be considered acceptable provided this does not involve the net loss of units with three bedrooms or more. It is important to note that this application is for a temporary period only. The proposal would retain a two bedroom maisonette. Whilst it is accepted that the proposal would not retain a three bedroom property as per the recommendations of Policy H8 it is considered acceptable on a temporary basis. The Council would not support the permanent loss of a three bedroom unit. However, on a temporary basis, the proposal is considered to be acceptable. The new unit would be well laid out, with all habitable rooms having access to natural light due to the unit being dual aspect.

2.3 Although Planning cannot control the precise internal layout of individual proposals, it is important to ensure that dwellings are capable of providing a suitable layout and adequate room sizes. Within the CPG it is stated that new self contained unit should satisfy the minimum areas for overall floorspace. The floorspace of the unit is approximately 33.2m² which satisfies the minimum area for a one persons unit. The applicants have outlined the means to meet lifetime homes standards or to a reasonable and practicable level, and so comply with Policy H7.

2.4 It is considered that as the application is for a temporary period of one year only.

3.0 Amenity

3.1 Given the proposal would reduce the number of units and would not change the external fabric of the building and the existing access arrangements; it would not have an adverse impact on the

residential amenities of the neighbouring properties. The proposal is considered to be consistent with policy SD6 and therefore acceptable.

Recommendation: Grant Retrospective Temporary Planning Permission