

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>12/12/2007</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>12/11/2007</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Tania Skelli-Yaoz				2007/4336/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Ground and Lower Ground Floor 52 Mill Lane London NW6 1NJ				See decision notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Retrospective change of use of part ground and lower ground floor from Retail (Class A1) and ancillary to Class A1 to a single self-contained 1-bed maisonette including the erection of a rear conservatory and minor enlargement of basement							
<b>Recommendation(s):</b>		Grant planning permission subject to section 106					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>	No. notified	<b>07</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>	
			No. electronic	<b>00</b>			
<b>Site Description</b>							
The application site is a two-storey building with basement with and loft accommodation located on the south side of Mill Lane. The ground floor is occupied by a vacant retail unit which was previously used as a photographic store and the remaining upper floors and have been converted to a 2-bed flat. The site does not lie within a designated conservation area.							
<b>Relevant History</b>							
2006/5425/P Application for Certificate of Lawfulness for Existing Use: Use of the basement as two non-self-contained residential units sharing WC/bathroom and/or kitchen facilities with residential units on the upper floor rooms (HMO - Sui Generis). REFUSED 14/08/2007.							
EN 07/0614 change of use of basement to two self-contained residential units.							
<b>Relevant policies</b>							
SD1, SD6, H1, H&, H8, T3 and T8, SPG 40.							
<b>Assessment</b>							
<b>Background</b>							
This application relates to part of the ground floor and basement area, i.e. the front shop area is to be retained as A1 use.							
The proposal includes the rear extension of the building at basement level by erecting a conservatory in the garden and enlarging the basement area to the front area of the building to provide bathroom							

and kitchen facilities.

### **Land use**

The proposed s/c living accommodation at part g/f and basement area complies with policy H1 and is welcomed in this residential area.

### **Living Accommodation Standards & Mix of units**

On site, construction was undergoing, and nearly complete. Ceilings heights are very low, and although this appears in some of the existing rooms (basement bedroom=2.21m, rear living room=2m, ground floor {originally proposed} bedroom=2m) the new kitchen and bathroom are also very low at 2.2m and 2.1m respectively. Also, the proposed kitchen and bathroom do not benefit from natural daylight and ventilation has been enabled via mechanical equipment, (through a 50mm pipe to street). LBC Environmental Team has commented that this may be adequate but only practice will tell how long such an arrangement will last. Moreover, the overall proposed floorarea being just below 40m<sup>2</sup>. Given all the above accommodation falls below the required standards of 2.1m height for existing basement, 2.3m for new ones, natural daylight and ventilation to all habitable rooms and a minimum of 48m<sup>2</sup> total floorarea for occupation of 2 people it is considered that the site is over-developed and cannot accommodate a 2-bed flat, as originally proposed.

Subsequently and considering the proposal is almost entirely implemented, the applicant has agreed to reduce the proposal to provide a 1-bed floor area, which although still does not overcome the minimum ceiling heights, is considered, on balance, to improve the proposed living accommodation standards. The proposed mix of units is considered acceptable given the conditions on site and shall provide for a spacious living accommodation for a single person (or a couple).

### **Design & Access**

The proposed conservatory is the only external alteration to the building and is almost identical to the one next door, at no. 54. Although the existing garden area is not very large, this extension is considered of a reasonable size and subordinate to the main building. It is also almost entirely below garden fence level. It is also noted that the entire rear of this terrace is characterised by a mix of extensions of different size, bulk, shape and height and therefore no particular line follows and the proposal is not considered to further harm the existing appearance. It is therefore considered acceptable.

Access to the property is maintained at ground floor as existing and is considered safe.

### **Amenity**

It is considered that sufficient outdoor area is retained for the enjoyment of the occupiers and no new overlooking or loss of privacy to AOs are considered to arise since the new conservatory is below ground level.

### **Lifetime condition**

A basement flat may not be able to achieve the main goal of accessibility, but issue to be raised in informative.

### **Transport**

A condition requested the provision of 1x cycle space/storage is provided to be imposed upon approval. A 106 agreement is being drawn up with LBC Legal Team in order to secure the site as car-free as the site benefits from good transport links and is within a CPZ.

### **Conclusion**

Accordingly, it is recommended that planning permission be granted subject to s. 106.

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