

Mr. Mariano Garcia
Stephen Davy Peter Smith Architects
Fanshaw House
Fanshaw Street
London
N1 6HX

Application Ref: **2014/7916/P**
Please ask for: **Raymond Yeung**
Telephone: 020 7974 **4546**

31 March 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

Merlin House
122 Kilburn High Road
London
NW6 4HY

Proposal:

Erection of extension on the roof of Merlin House following demolition of water tank enclosure to provide two additional residential units with associated terrace amenity area.

Drawing Nos:

L0814-B, K0707; R, E1, E2, E3, E4, G, 1, 2, 3. 1416(PL);1416(PL); 001revA, 002revA, 110revA, 111revA, 112, 113revC, 114, 201revC, 202revC, 203revC, 204revB. Lifetime Homes Statement, Design & Access Statement, BRE Daylight and sunlight study (from within and neighbouring properties') from Right to Light consulting dates 14th November 2014, Desktop study report by GEA dated March 2014, Flood Risk assessment reference:T270-001 dated March 2014, Access and security supporting details via email dated 24/2/15 & 27/3/15.

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:

L0814-B,K0707; R, E1,E2,E3,E4, G, 1,2, 3. 1416(PL);1416(PL); 001revA, 002revA, 110revA, 111revA,112, 113revC, 114, 201revC, 202revC, 203revC, 204revB.

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

- 3 A sample panel of the zinc cladding to be used demonstrating the proposed colour, texture, face-bond and pointing shall be submitted to and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The cycle storage facility, hereby approved, at basement level for 4 cycles shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

1 Reason for granting permission.

The principle of providing a residential unit is supported as housing is a priority land use of the LDF. The proposed extension provides 2no x 2 bedroom flats measuring at 53 and 54 square metres floor area meeting the minimum space standards. It is considered that the proposed units would be compatible with the existing use. It is not within the designated conservation area and the building is not listed.

The bedrooms and living rooms in the flats would also meet the minimum room sizes in CPG 2. The proposed new units would provide a good standard of residential accommodation in terms of layout, amenity space, room sizes, sunlight, daylight, ventilation and outlook with each habitable room having at least one outlook. The proposal is consistent with Policy CS6 and the Residential Development Standards contained in the Camden Planning Guidance.

The applicants have provided Lifetime Homes details and plans which indicate that the criteria where relevant would comply. A condition will specify that the features denoted to be met shall be implemented on site. As such the provision of new residential accommodation is compliant with policies CS6 and DP2.

The proposed extension has been revised to address concerns raised by officers. It would be set back from the facades and would be of similar size and setback as the other mansard roof extensions on this terrace. The revisions in fenestrations are considered acceptable in that it would relate with the existing windows below and the proposed material in pre-weathered zinc cladding and aluminium clad timber framed windows offers a modern and clean design and is conditioned that samples would be submitted and approved prior to development.

The access would be from Quex Road where the existing access is for the existing offices, it is acknowledge that this is not ideal. However, the proposal would not affect the existing access to the office unit. It is confirmed by the applicant that an audio visual access control would be fitted to the entrance doors, activated by individually programmable key fobs. There will be communal doors separating the main stair and lift core from the access corridor serving the flats, and again these would be activated by the individual fobs, thus it will not be possible for people from the office use to gain unauthorised access to the flats, and vice versa.

The applicant has submitted a BRE daylight/sunlight report which has been assessed and it is considered that such proposal would not lead to any unacceptable loss of light to the neighbouring properties and it would not harm to neighbouring properties with regards to outlook nor loss of privacy.

The footway directly adjacent to the site could be damaged as a direct result of the proposed works. We would therefore need to secure a financial contribution for highway works as a section 106 planning obligation if planning permission is granted. The development also shall be secured as a car free through Section 106 planning obligation to ensure the proposal does not add to traffic and parking congestion and to promote car-free lifestyles. The plan details cycle parking in the basement, accessed by the lift which is welcome.

Waste storage would be on the ground floor is also considered acceptable.

One letter of comment had been received prior to making this decision. The site's planning history was taken into account when coming to this decision.

As such, the proposal is in accordance with policies CS5, CS14 of the Core Strategy, policies DP2, DP5, DP6, DP16, DP18, DP19, DP22, DP24, DP26 and DP28 of the Development Policies Document The proposed development also accords with policies 3.3, 3.4, 3.5, 3.8, 5.11, 6.9, 7.4, 7.6 and 8.2 of the London Plan March 2015, consolidated with alterations since 2011, and paragraphs 9, 11-14, 17, 23, 50 and 56-66 of the National Planning Policy Framework.

- 2 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 proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<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 CIL@Camden.gov.uk

- 3 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 2410) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.
- 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 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, 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.
- 6 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.
- 7 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>.
- 8 The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's Environment Services (Recycling) on 0207 974 6914/5 or on the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 9 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

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 'Ed Watson', written in a cursive style.

Ed Watson
Director of Culture & Environment