

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

Application Ref: **2015/0075/P**
Please ask for: **Raymond Yeung**
Telephone: 020 7974 **4546**

27 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 a first floor roof extension level to create 1 x 1 bedroom residential unit (C3).
Drawing Nos: Existing: K0707; R, E1,E2,E3,E4, G, 1,2, 3,

Proposed: L08-14B, 1416(PL)
001revA,002revA,120,121,122, 123, 211revB,212,213,214,311.

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.

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 wall for the development hereby approved 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 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

L08-14B, 1416(PL)
001revA,002revA,120,121,122, 123, 211revB,212,213,214,311.

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.

Reason:

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

- 4 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 5 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.

Informative(s):

1 Reason for granting permission:

The principle for providing a residential unit is supported as housing is a priority land use of the LDF. The proposed first floor extension provides a one bedroom flat measuring at 54 square metres floor area exceeding the minimum space standards. It is considered that the proposed unit would be compatible with the existing use is common in this area to have residential above A1 use class and adjoining to office units.

The access would be from Quex Road and would be shared with the existing offices. Normally, it is expected that residential units should have a separate access from the street level than any other use in the building. However, in this instance, given the constraints of the existing building and the fact the residential units are segregated from the B2 use by a controlled access door at upper level this is considered acceptable.

The bedrooms and living rooms on the flat would also meet the minimum room sizes in CPG 2. The proposed new unit 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 would have brick constructed walls matching the host building and would be subservient to the host property of Merlin House, aluminium clad timber framed windows offers a modern and clean design.

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.

2

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. A car free development therefore needs to be secured as a Section 106

planning obligation. The plan suggests there would be cycle parking in the basement, accessed by the lift which is welcome. The above proposals would allow it to be in accordance with Core Strategies CS11 and CS19 and Development Policies DP18, DP19 and DP21.

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

No objections 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 2011, and paragraphs 9, 11-14, 17, 23, 50 and 56-66 of the National Planning Policy Framework.

- 3 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).
- 4 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.
- 5 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

- 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 With regard to condition no. you are advised to look at Camden Planning Guidance for further information and if necessary consult the Access Officer, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 5124) to ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time.

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



Ed Watson
Director of Culture & Environment