

David Carroll  
Planning Co-operative  
30 Altenburg Avenue  
West Ealing  
London  
W13 9RN

Application Ref: **2014/6762/P**  
Please ask for: **David Peres Da Costa**  
Telephone: 020 7974 **5262**

1 July 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:  
**9 Kingscroft Road**  
**London**  
**NW2 3QE**

Proposal:  
Change of use from nursing home (Class C2) to 5 x unit HMO (Class C4) with a studio flat at 1st floor and 1-bed flat at 2nd floor (Class C3).  
Drawing Nos: Site location plan; 01; 02; 03; 04 B; second floor communal kitchen plan; Lifetimes Homes statement (Planning co-operative).

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 months 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: Site location plan; 01; 02; 03; 04 B; second floor



communal kitchen plan; Lifetimes Homes statement (Planning co-operative).

Reason:

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

- 3 Before the development commences, details of secure and covered cycle storage area for 2 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter 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.

- 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 Before the development commences, details of the location and design of a bin store (waste and recyclables) shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reason for granting permission

As a result of low occupancy the existing care home was closed 2 years ago. It was converted to an HMO without planning permission. Therefore, the lawful use of the property is still a nursing home. Policy DP9 resists the net loss of floorspace in care homes unless certain criteria are met. In this case it has been demonstrated that the accommodation is incapable of meeting contemporary standards for homes for older people. Specifically, the property was a small care home that had a mixture of single and double bedrooms. Most people want single bedrooms to maintain their privacy. The possibility of allowing people to use the double rooms

for single occupancy would not have been financially viable. Therefore, the loss of the care home complies with policy DP7.

The development proposes a studio flat at 1st floor and a 1 bedroom flat at 2nd floor and 5 HMO rooms at ground and 1st floor. The HMO rooms and shared kitchens meet the requirements of the HMO licensing team. As much of the 2nd floor shared kitchen has low headroom height, the layout of the shared kitchen has been provided to ensure it meets HMO standards. The HMO rooms would be in accordance with policy DP9.

The studio flat measures 35sqm and so would meet the Council's minimum floorspace requirement for a flat for 1 person. The 1 bedroom flat measures approximately 57 sqm and so would meet the floorspace requirement for a flat for 2 persons, although it is noted that some of this floorspace has a ceiling height which is less than 1.5m. Disregarding this floorspace, the flat would still provide an appropriate amount of floorspace. A lifetime homes statement has been provided. It is accepted that as this is a conversion some of the lifetime home standards cannot be met due to the constraints of the existing property. The proposed flats and HMO rooms would provide a satisfactory standard of accommodation in terms of outlook, daylight and sunlight.

Given that the property has very good public transport accessibility, the development should be secured car free by legal agreement in accordance with policy DP18. Two cycle spaces would be required for the self-contained flats. No cycle parking is shown on the plans however there would be room at the side of the property for covered and secure cycle parking. Details of this would be secured by condition.

The planning and appeal history of the site has been taken into account when coming to this decision. One objection has been received and has been duly taken into account.

As such, the proposed development is in general accordance with policies CS5, CS6, CS11, CS14 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP6, DP7, DP9, DP17, DP18, DP24, and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 3.5, 3.8, 6.9, 6.12, 7.4, 7.6 and 7.8 of the London Plan 2011; and paragraphs 14, 17, 29-30, 39, 49-50, 56-66 and of the National Planning Policy Framework.

- 2 You are reminded that every HMO to which the Housing Act applies must be licensed. To obtain an application form, please telephone 020 7974 2543 or email [hmolicensing@camden.gov.uk](mailto:hmolicensing@camden.gov.uk)

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