

Mr Philip Holman  
Watts Group PLC  
1 Great Tower Street  
London  
EC3R 5AA

Application Ref: **2014/7703/P**  
Please ask for: **Jennifer Chivers**  
Telephone: 020 7974 **3303**

3 September 2015

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Councils Own Permission Under Regulation 3 Granted**

Address:  
**8 Burghley Road**  
**London**  
**NW5 1UE**

Proposal:  
Erection of a single storey rear extension with associated change of use from B1 to C3.  
Drawing Nos: 120043.01 Rev D and 120043.03 Rev E dated March 15 and 120043.04 Dec 14.

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 All new external work 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

120043.01 Rev D and 120043.03 Rev E dated March 15 and 120043.04 Dec 14.

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

- 4 Carer's Unit

The ancillary carers unit hereby approved shall only be used for purposes incidental to the two flats (as part of this application) and shall not be used as a separate independent Class C3 dwelling.

Reason: To ensure that the future occupation of the ancillary unit does not adversely affect the amenity of adjoining residential premises/immediate area by reason of noise, traffic congestion and excessive on-street parking and is not used for unauthorised purposes, in accordance with policies CS5 (Managing the impact of growth and development), CS8 (Promoting a successful and inclusive Camden economy) and CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policies DP19 (Managing the impact of parking), DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

- 5 \*Car Free

Prior to first occupation of any of the residential units, the owner would ensure through agreement with each occupier of the residential units is informed of the Local Planning Authority's policy that they shall not be entitled (unless they are the holder of a disabled person's badge issued pursuant to s. 21 of the Chronically Sick and Disabled Persons Act 1970) to be granted a Residents Parking Permit to park a vehicle in a residents parking bay, shall not be able to buy a contract permanently to park within any car park owned, controlled or licensed by the Local Planning Authority and shall they be entitled to be granted a Business Parking Permit.

Reason: In order to ensure that there is no additional parking pressure within the vicinity, in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP18 and DP19 of the London Borough of Camden Local Development Framework

## Development Policies

### 6 \*Need for a legal agreement

No works shall be commenced on site until such time as any owners of the land with the legal locus to enter into a Section 106 Agreement have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions marked 5 inclusive (and marked \*).

Reason: In order to define the permission and to secure development in accordance with policy C19 of the London Borough of Camden Local Development Framework Core Strategy.

### Informative(s):

#### 1 Reasons for granting permission.

The proposed one bed units would be approximately 52sqm and 53sqm. This is excess of the minimum sizes for dwellings as outlined in CPG2. The carers unit would be 25sqm approximately. This unit is not designed to be independently let and a condition will be attached to ensure the use of this space is utilised for an onsite carer only. It is proposed that any person utilising this space would have their own permanent accommodation elsewhere and would only spend limited time at the property should the need arise. The proposed units are well designed in terms of internal arrangement, size and the quality of accommodation provided.

The applicants have submitted a Lifetime Homes assessment which addresses some of the 16 points of the criteria. The proposal is considered to meet the relevant criteria and is therefore considered acceptable.

The application does not propose any car parking for the proposed residential accommodation. This accords with the Council's maximum residential parking standards and policy DP18 which seeks to deter unnecessary car use in highly accessible locations and promote the use of more sustainable modes of transport. No off-street spaces are provided, which accords with policy DP18. Given the site's location with good public transport links (PTAL rating of '6a'), it is considered reasonable to ask the applicant to enter into a section 106 legal agreement to ensure the site is 'car free', i.e. future occupiers of the flats cannot apply for residential parking permits. The proposal provides two secure cycle parks and this meets with the minimum requirement under the London Plan.

There rear extension will be a replacement of the existing structure of a similar size and scale. Therefore it is not considered that any further harm would arise from a replacement of this structure. Given the modest footprint and height of the extension, the proposal would not have a detrimental impact on the amenity of adjoining neighbours.

Whilst the development will have some impact in terms of the loss of office/medical space, it is not considered harmful given the poor quality of the premises and the reversion of the building which was originally built as residential. The property has

also been vacant for the previous six years. In addition, the conversion back to residential use is more in keeping with the surrounding residential use.

One objection and two comments have been received and duly taken into account. The sites planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies CS1, CS5, CS6, CS13 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP6, DP13, DP17, DP18, DP22, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 3.3, 3.4, 3.5, 6.9, 6.13, 7.4, and 7.6 of the London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 51, 56 - 66 of the National Planning Policy Framework.

- 2 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).
- 3 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.
- 4 The London Borough of Camden introduced the Community Infrastructure Levy (CIL) on the 1st of April 2015 to help pay for local infrastructure. This is in addition to the Mayoral CIL which helps fund the Crossrail introduced 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 the CIL charge.

The proposed charge in CIL will be calculated in accordance with the regulations set out in Part 5 of the Community Infrastructure Levy Regulations 2010 (as amended). For further information on the Camden CIL or Mayoral CIL charge please follow the link provided: [http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset\\_id=3298006](http://www.camden.gov.uk/ccm/cms-service/stream/asset/?asset_id=3298006)

You are required to assume liability and notify the CIL team on commencement using the forms that can be downloaded from planning portal; <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will issue an assumption of liability setting out the calculation and CIL demand notice setting out the method of payment accordingly. 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 queries to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)
- 5 In the absence of a Section 106 agreement securing the matters covered by conditions marked with \* above, the Department of Planning and Public Protection requires an unequivocal written statement from the Assistant Director for Housing and Adult Social Care confirming that it will comply with the matters set out in conditions \* (as provided in the form of the Council's standard s106 obligations on these matters) and that it will not dispose of any of its interest in the land (not including disposals to individual tenants and occupiers) without first ensuring that any new owner simultaneously executes a Section 106 agreement securing any relevant matters covered by conditions \* which are outstanding or ongoing.

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