

Mr Dan Ruddick  
dMFK  
119 Chomley Gardens  
West End Lane  
London  
NW6 1AA

Application Ref: **2015/3077/P**  
Please ask for: **Olivier Nelson**  
Telephone: 020 7974 **5142**

16 September 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:  
**44 Westbere Road**  
**London**  
**NW2 3RU**

Proposal:  
Conversion of 6 bed single family dwellinghouse into 4 flats (1 x studio, 1 x 1 bed, 1 x 2 bed and 1 x 3 bed) and alterations to fenestration on front, side and rear elevations  
Drawing Nos: 1967-A01, 1967-A02, 1967-A10, 1967-A11, 1967-A15, 1967-A16, 1967-A100-A, 1967-A110-A, 1967-A150, 1967-A160, 1967-A1602, Design & Access Statement by dMFK dated May 2015, Planning Statement by Rolfe Judd Planning dated 29/05/15, and Sustainability Statement by Cundall dated 03/06/15.

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 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: 1967-A01, 1967-A02, 1967-A10, 1967-A11, 1967-A15, 1967-A16, 1967-A100-A, 1967-A110-A, 1967-A150, 1967-A160, 1967-A1602, Design & Access Statement by dMFK dated May 2015, Planning Statement by Rolfe Judd Planning dated 29/05/15, and Sustainability Statement by Cundall dated 03/06/15.

Reason:

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

- 4 Before the development commences, details of secure and covered cycle storage area for 7 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.

- 5 Before the development commences, details of the location, design and method of waste storage and removal including recycled materials, 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 Reasons for granting permission.

Council LDF Policies CS6 and DP2 aim to make full use of Camden's capacity for housing. The proposal would result in a net increase of 3 dwellings on the site, helping Council optimise housing delivery and meet relevant targets. Policy DP5 sets out dwelling type priorities. With regard to market housing two bed units are in high demand, followed by 3 bed units and then 1 bed units. The proposal would maintain a family sized unit on the site and introduce a new 2 bed unit and as such is considered to provide an appropriate mix of dwellings.

All of the proposed units pass the London Plan and Camden Planning Guidance minimum size requirements. The ground floor family unit would maintain private access to the rear garden. Each unit would have uninterrupted outlook and solar access. The units have been designed to maximise compliance with Lifetime Homes standards. The flat which would be incorporated in the existed dormer would have the required 2.3m floor to ceiling height. As the proposal relates to conversion of a historic building it is not considered appropriate to require that all criteria be satisfied. Overall the proposal is considered to provide sufficient habitable space according with CS6, CPG2 and the London Plan.

The proposal includes dormers windows which would be fixed and obscure glazed up to 1.8m from finished floor level with clear glazing at the top. Obscure glazing is considered necessary up to that level as there were potential overlooking concerns to a neighbouring property. The glazing has helped to address this concern.

Based on the number and size of units proposed the London Plan requires that a total of 6 cycle parking spaces be provided. While 3 have been provided in the private rear garden and 3 in the front garden, the spaces in the private garden will not be accessible to the upper floor flats. As such an additional cycle parking space is required in the front garden. Details of the cycle store have not been provided. As such a condition is included requiring details of the cycle stores and an extra space in the front garden. Policy DP18 expects development to be car free in areas within Controlled Parking Zones that are easily accessible by public transport (PTAL of 4 or above). The site has a Public Transport Accessibility level (PTAL) of 4. Any additional parking permits would put further pressure on the area, and result in congestion as vehicles search for spaces. As such all of the proposed units have been secured as car-free.

The proposal includes a communal waste store in the front garden which complies with Camden Planning Guidance on size and location. However, detailed elevations have not been provided and as such are required by condition.

LDF Policy DP22 requires developments to incorporate sustainable design and construction measures. The proposal would be built to modern insulation and energy use requirements, including low water use fittings. Given the proposal relates to a fit-out only, in which there is limited scope to increase the efficiency of the building, the proposal is considered to adequately respond to the issue of sustainability.

Objections have been received and duly taken into account prior to making this decision. 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 CS5, CS6, CS11 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP6, DP17, DP18, DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 3.4, 3.5, 3.8, 6.9, 6.13, 7.4 and 7.6 of the London Plan March 2015, consolidated with alterations since 2011 and paragraphs 14, 17, 47-55 and 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 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 4 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.
- 5 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.
- 6 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 CIL charge 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 refer to the information on the Camden website which may be accessed via the following link: [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 the 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)

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