

Miss Alexandra Webster
Andmore Planning Ltd
16 Old Town
London
SW4 0JY

Application Ref: **2015/1949/P**
Please ask for: **Raymond Yeung**
Telephone: 020 7974 **4546**

17 December 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:
1A West Hampstead Mews
London
NW6 3BB

Proposal:
Conversion of 1x office unit (Class B1(a)) into 2 x 2 bed self-contained flats (Class C3) with part excavation of basement including external alterations.

Drawing Nos: Site location plan, A1E01, A1E02, A1E03, A1E04, A1E05, A1E06, A1 01, A1 02, A201, A202, A301, A303, Planning statement by Andmore planning dated July 2015, Basement Impact Statement by Symmetrys LTD dated March 2015, Design and Access Statement by CHASSAY+LAST Architects WHM, dated April 2015 and Lifetime Homes statement dated May 2015.

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 and DP25 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: Site location plan, A1E01, A1E02, A1E03, A1E04, A1E05, A1E06, A1 01, A1 02, A201, A202, A301, A303, Planning statement by Andmore planning dated July 2015, Basement Impact Statement by Symmetrys LTD dated March 2015, Design and Access Statement by CHASSAY+LAST Architects WHM, dated April 2015 and Lifetime Homes statement dated May 2015.

Reason:

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

- 4 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission

The applicant has appropriately demonstrated that the existing office is outdated

and in a poor condition, complying with the guidance in Camden Planning Guidance 5. A planning statement has been submitted with the application and has demonstrated that the applicant would require a substantial amount of investment to make the building attractive for a modern office use. This is contributed by the existing unit being in the process of being converted to a one bedroom unit under an existing permission. (Planning permission was granted under planning permission reference 2014/0729/P for change of use of ground floor from offices to one self-contained flat). Based on the poor condition of the office, the substantial amount of investment that would be required and its location within predominately residential units, it is considered that it is no longer suitable for its existing business use. There are not current tenants in the building and the in the planning statement the applicant has demonstrated that there is significant office space available in the immediate vicinity. The proposal accords with DP13 which states that when it can be demonstrated that a site is no longer suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential uses.

Given the location of the application site and given that there is residential accommodation above and adjacent to the existing office unit, The additional residential units will assist the Council in meeting the strategic housing target for the Borough. The proposed residential flats are of appropriate sizes and will benefit from adequate levels of daylight, outlook and natural ventilation. The new residential units will be secured as car-free through a S106 agreement to encourage car free lifestyles and reduce impact on the highway network.

The proposed basement excavation with the front and rear lightwells are considered to be acceptable as it has been demonstrated on the balance of probabilities that the proposals would maintain the structural stability of the host building and adjacent buildings. The Basement and Impact Assessment report submitted with the application has been independently assessed by a third party engineering firm in line with the Councils Policy and concluded that given the specific circumstances of the site and proposal and in particular that the indicated location of the proposed basement is away from more sensitive neighbouring structures, that the proposal meets the requirements of DP27. The proposals are, therefore, consistent with the objectives of national policy, LDF policies CS5 and DP27, and associated guidance which collectively seek to manage the impact of development, prevent unacceptable risks from land instability, and ensure that proposals demonstrate that the structural stability of the building and neighbouring properties is maintained.

Highways have indicated that a construction management plan be secured by condition and section 106 Legal agreements, having particular regard to the effect on highway safety and the living conditions of the occupants of host and nearby dwellings. This will ensure that the construction phase would have a reasonable impact on the amenity of adjoining properties.

A lifetime homes statement has been submitted demonstrating that the proposal is considered to provide a reasonable standard of accommodation. Also the proposed floor to ceiling height is in keeping with the recommended head room of CPG2 and the London Plan. The basement rooms would have sufficient outlook

from the proposed lightwells. Further, the proposed rooms would be private from public areas. The site is not located in a flood risk area, or an area identified as being subject to localised surface water flooding.

2 (Reason for granting continued)

The proposed external alterations, owing to their design and location will not harm neighbour amenity in terms of daylight, sunlight or outlook neither would the proposed patio areas at the rear result in any unacceptable overlooking

In conclusion, the proposed development is considered to be of an appropriate unobtrusive design that would relate sympathetically to the host building and of a nature that would not significantly alter the appearance of the building or character of the conservation area. The council's conservation team has been consulted and commented that the proposals have been sympathetically designed and as such will not detract from the character and appearance of the Conservation Area in any way.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The planning history (including appeal history) of the site has been taken into account when coming to this decision. 1 objection has been received and this has been taken into consideration when making 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, DP6, DP13, DP16, DP17, DP18, DP22, DP23, DP24, DP25, DP26 and DP27 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of The London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56 -66 and 126-141 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 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

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

- 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.

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

