

Mr Michael Lansley
TM Design & Build Limited
28-30 Cricklewood Broadway
London
NW2 3HD

Application Ref: **2016/6516/P**
Please ask for: **Robert Lester**
Telephone: 020 7974 **2188**

24 April 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
59 Bakers Passage
London
NW3 1RH

Proposal:
Change of use of existing 3 bed maisonette to 3no. flats (2 x 1 bed and 1 x 2 bed) and the installation of replacement terrace balustrading at first and fourth floor levels.
Drawing Nos: OS Location Plan, 59BKS - F001, 59BKS - F102, 59BKS - F101 H, 59BKS - F102 C

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 development hereby permitted shall be carried out in accordance with the



following approved plans ref: OS Location Plan, 59BKS - F001, 59BKS - F102, 59BKS - F101 H, 59BKS - F102 C

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

- 3 The residential flats as indicated on the plan number/s hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

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.

- 4 Details of screening for the terraces at 1st and 4th floor levels to prevent overlooking of adjacent dwellings shall be submitted to and approved in writing by the local planning authority. The details as approved shall be implemented at the site prior to the first occupation of the dwelling hereby approved.

Reason: In order to prevent overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy, policy DP26 of the London Borough of Camden Local Development Framework Development Policies and policy A1 of the London Borough of Camden Local Plan Submission Draft

Informative(s):

- 1 Reasons for granting permission:

The application site is the existing 1st-4th floor maisonette at 59 Bakers Passage which is located above the ground floor commercial unit at 59 Hampstead High Street. Bakers Passage is a narrow alleyway to the rear of the commercial units on Hampstead High Street, which provides access to the residential units above the shops. It is accessed from Oriol Place.

The site is located within Hampstead Town Centre and Hampstead Conservation Area.

The application is for the change of use of the existing 3 bed maisonette to provide 2 x 1 bed and 1 x 2 bed flats.

The conversion is acceptable in this case. Although, the proposed housing mix would not meet the Council's preferred housing mix of 40% 2 bed units, it is acknowledged that the proposed conversion is the most practical way of converting the property and a 2 bed unit would still be provided in the scheme. Some of the adjacent units on this parade are sub-divided into three flats at upper floor level;

therefore the proposed conversion would be consistent with the local housing mix and character.

The development would provide 2 x 1 bed single occupancy units and a 2 bed/3 person occupancy unit. The proposed internal floor areas of two of the three units would comply with the national floorspace standards. The second floor flat at 36sqm would be 1sqm below the required 37sqm standard, however this is a minor deviation and this unit would provide a good internal layout which would match the flat below and would provide adequate living conditions for future occupiers. The development would also provide good living conditions in other respects including dual aspect units with good provision for natural daylight and outlook, adequate access and internal circulation space. The terraces would also provide some outdoor amenity space.

The access to the development would be via Bakers Passage and Oriel Place which is an established situation and the existing maisonette and neighbouring flats are all accessed in this way. The development would be secured as a car free development by legal agreement. The constraints of the site mean that it is not possible to provide cycle parking; however the site is located in a town centre location close to Hampstead Underground Station, several bus routes and local shops and services.

No construction management plan is considered necessary for this development. Construction works are only permitted to take place between 8am to 6pm on Monday to Friday, and 8am to 1pm on Saturdays.

The only external alterations would be the replacement of the existing glazed terrace balustrading with black painted metal railings which would be more in keeping with the character of the building and conservation area.

The development would not impact on the amenity of neighbouring residents.

The proposed flats would have internal refuse storage for the storage of sacks which would be placed out on the highway on collection day. This arrangement is considered to be acceptable for this site.

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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The planning history of the site was taken into account when coming to this decision. No objections were received from local residents.

As such, the proposed development is in general accordance with policies CS5, CS6, CS14 and CS18 of the London Borough of Camden Local Development Framework Core Strategy, policies DP5, DP6, DP16, DP18, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies, policies H1, H6, C6, A1, D1, D2, CC5, T1 and T2 of the Camden Local Plan Submission Draft. The proposed development also accords

with the London Plan 2016; and 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 Noise and Licensing Enforcement Team, 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 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 5 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
- 6 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.

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

Executive Director Supporting Communities

David T. Joyce

David Joyce
Director of Regeneration and Planning