

Mr Stuart Minty  
SM Planning  
80-83 Long Lane  
London  
EC1A 9ET

Application Ref: **2017/1439/P**  
Please ask for: **John Diver**  
Telephone: 020 7974 **6368**

2 October 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**91 Savernake Road**  
**London**  
**NW3 2LG**

Proposal:  
Conversion of the property from no.2 self-contained flats into a single family dwellinghouse  
(Use Class C3)  
Drawing Nos: 346\_00\_100, 346\_00\_01, 346\_00\_02, 346\_10\_01, 346\_10\_02,

Supporting documents: Covering Letter dated 09/03/17; Design and Access Statement (dated Mar 2017); Planning statement (dated Mar 2017); Copy of deeds (received 31/08/17); Copy of H.M. Land register of title (received 31/08/17); Email - planning statement update (dated 31/08/17); Email - Utilities metering confirmation (received 31/08/17); Email - Seddons solicitors confirmation (received 31/08/17); Copy of historic LPA comments from former owner (received 31/08/17); Copies of utilities bills (received 31/08/17); Statement from 'Rama Build' contractors relating to heating services (received 31/08/17).

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:

346\_00\_100, 346\_00\_01, 346\_00\_02, 346\_10\_01, 346\_10\_02.

Supporting documents: Covering Letter dated 09/03/17; Design and Access Statement (dated Mar 2017); Planning statement (dated Mar 2017); Copy of deeds (received 31/08/17); Copy of H.M. Land register of title (received 31/08/17); Email - planning statement update (dated 31/08/17); Email - Utilities metering confirmation (received 31/08/17); Email - Seddons solicitors confirmation (received 31/08/17); Copy of historic LPA comments from former owner (received 31/08/17); Copies of utilities bills (received 31/08/17); Statement from 'Rama Build' contractors relating to heating services (received 31/08/17).

Reason:

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

Informative(s):

- 1 Reasons for granting permission. [Delegated]

The site is a three storey (plus loft and lower ground floor) terraced former single-family dwellinghouse. Throughout time the property has been internally altered although permission was never granted for its formal sub-division. At present the property features two lockable doors to the main stair at first and 2nd floor levels, providing 2 'self-contained' units as well as an additional third floor 'non-self contained' unit. Planning permission is sought to revert the existing building back into a single-family dwellinghouse as originally designed. No external alterations are hereby proposed to the property.

Policy H3 states that the Council will seek to ensure that existing housing continues to meet the needs of existing and future households by resisting development that would involve the net loss of two or more homes. Exception to the above is granted where works would enable sub-standard units to be enlarged to meet residential space standards.

Due to the lack of any formal permissions to the site, question was raised with regard to the existing lawful use of the property. In this instance, the only partitions installed which might act to separate internal spaces are two doors to the main stair case, one at 1st floor (to give access to 2nd floor level) and one at 2nd floor levels

(to give access to the loft). All floors are accessed via a communal stair from which access into habitable rooms is afforded at ground, 1st and 2nd floor level without restriction. The top floor (loft) could not provide a self-contained unit due to this form of access as well as the lack of facilities such as a kitchen. The presence of a lock-able door at 3rd floor level is therefore not in itself reason to believe that the loft is self-contained. To confirm this, additional evidence to demonstrate the building's historic occupancy was requested.

The applicant has subsequently submitted a range of evidence detailing the use of the property as two self-contained units, occupied by a single extended family unit. Considering the lack of formal division between floors and private spaces, this is logical. Details provided include land registry search results, copies of deed to the property, a statement from the former owner's solicitors, utilities bills and details of servicing to upper floors. The loft floor is described as previously being used as the bedroom for the daughter of the owner but never as an independent unit. In light of this additional evidence, it is accepted that the established use is indeed as two, rather than three residential units. The net loss of one unit to revert the property into a single family dwelling would therefore be in accordance with policy H3.

As the permission would not include any external alterations, the development would not result in any design or conservation issues. The development would preserve the character and appearance of the Conservation Area. Similarly the development would not result in any detrimental impact upon the amenities of neighbouring occupiers or upon the condition and safety of the local transport network.

The site's planning history was taken into account when coming to this decision. One letter of objection was received following the public consultation process and was duly taken into consideration when forming this decision. Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Mansfield Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with H3, A1, D1, D2 and CC1 of the LB Camden Local Plan (2017). The development also accords with the London Plan (2016) and the NPPF (2012).

- 2 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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.
- 3 Your proposals may be subject to control under the Building Regulations and/or the

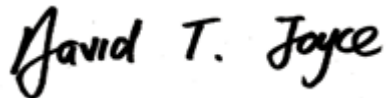
London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

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 that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Director of Regeneration and Planning