

<b>Address:</b>	Langorf Hotel 18 - 20 Frognal London NW3 6AG		<b>4</b>
<b>Application Number:</b>	2014/5454/P	<b>Officer:</b> Fergus Freeney	
<b>Ward:</b>	Frognal and Fitzjohns		
<b>Date Received:</b>	14/11/2014		
<b>Proposal:</b> Change of use from hotel (Class C1) to residential (Class C3) to provide 13 flats (4 x 1 bed, 7 x 2 bed, 2 x 3 bed), erection of single storey first floor rear extension, rear dormer roof extension, side dormer roof extension, and alterations and additions to doors and fenestration on side and rear elevations.			
<b>Background Papers, Supporting Documents and Drawing Numbers:</b>			
Existing and Proposed Drawings: 98-001, 98-200, 98-201-P01, 98-202-P01, 98-203, 98-204, 98-205, 98-210, 98-211, 98-212, 98-220, 99-201-P01, 99-202, 99-203, 99-204, 99-205, 99-210, 99-211, 99-212, 00-100-P02, 00-201-P01, 00-202-P02, 00-203, 00-204, 00-205, 00-206, 00-210-P01, 00-211-P01, 00-212, 00-220 and 00-230.			
Background Papers & Supporting Documents: Email from Circle Housing dated 17/03/15; Email from Octavia Housing dated 10/04/15; Letter from NRG Consulting Ref: AT/CSH/18F dated 17/02/15; Lifetime Homes Statement; NIBE F370 Exhaust Air Heat Pump Specification; Sustainable Design & Construction Statement Ref: SDCS/FROG/201404/11 – AT by NRG Consulting dated November 2014; Planning Statement dated August 2014; and Viability Assessment and Supporting Documents by Savilles dated 07/11/14.			
<b>RECOMMENDATION SUMMARY:</b> Grant conditional permission subject to a section 106 legal Agreement.			
<b>Applicant:</b>		<b>Agent:</b>	
Mr Tarrin Constantine Coraltren Ltd Collingwood Business Centre Mercers Road London N19 4PU		Mr Andrew Paps Papa Architects Ltd 222 Archway Road Highgate N6 5AX	

### ANALYSIS INFORMATION

Land Use Details:				
	Use Class	Use Description	Floorspace	
			GIA (sqm)	GEA (sqm)
Existing	C1	Hotel	998	1147
Proposed	C3(a)	Dwellings	998	1147

Residential Use Details:		
	Residential Type	No. of Bedrooms per Unit

		1	2	3
<b>Existing</b>	<i>C1 - Hotel</i>	30	0	0
<b>Proposed</b>	<i>C3(a) – Dwellings</i>	4	7	2

## **OFFICER'S REPORT**

**Reason for Referral to Committee: Major development involving the construction of more than 10 new dwellings or more than 1000 sq. mtrs of non-residential floorspace [Clause 3(i)].**

**This is a re-referral to the Planning Committee. The only difference from the previous recommendation is the removal of a head of term from the Section 106 agreement relating to a reappraisal for affordable housing if an adjoining site were converted to residential. During the negotiation of the s106 Agreement it was confirmed that this head of term is no longer required because the adjoining site is not within the applicant's ownership so the clause would be unreasonable (see Assessment section below for further details).**

### **1 SITE**

- 1.1 The site is located on the eastern side of Frognal between its intersection with Finchley Road to the south and Arkwright Road to the north, approximately 300m walk from Finchley Road and Frognal Overground station and 500m from Finchley Road Underground station.
- 1.2 The site is a 620sqm block comprising a semi-detached, turn of the 20<sup>th</sup> century, four storey plus basement building currently in use as a 30-bedroom hotel. The building is comprised of a semi-detached building and a detached building, which were joined with a linking structure approved in 1988.
- 1.3 The area is generally characterised by residential uses; large semi-detached buildings to the north and large detached buildings to the south.
- 1.4 The site is located within the Redington & Frognal Conservation Area. The building on the site is identified as making a positive contribution to the character of the conservation area.
- 1.5 The site is located in an area with a Public Transport Accessibility Level (PTAL) of 6a (excellent).

### **2 THE PROPOSAL**

- 2.1 The proposal includes the following elements:
  - Change of use from 30-bed hotel (Class C1) to 13 residential flats (Class C3). The proposal would provide 4 x 1 bed, 7 x 2 bed, and 2 x 3 bed units. Twelve of the units would be accessed via the original entrance door to No. 20 Frognal with a lift internally providing access to all floors. The remaining flat would be accessed independently via the original entrance door to No. 18 Frognal.
  - Erection of single storey first floor rear extension, measuring 2.0m (H) x 2.8m (W) x 2.2m (D), containing 1 window to the rear and a lean-to roof.
  - Erection of rear dormer roof extension, measuring 1.4m – 2.4m (H) x 2.2m (W) x 2.0m (D), containing 2 windows to the rear and a hipped roof.
  - Erection of side dormer roof extension, measuring 1.5m (H) x 1.4m (W) x 1.2m

(D), containing one window, and a flat roof.

- Alterations and additions to doors and fenestration on side and rear elevations including removal of lower ground floor southern side doors (2) and windows (3) and shifting six windows on the rear elevation up slightly (to accommodate change in floor levels)
- The proposal would require the building to be completely rebuilt internally, including slight changes in floor areas.
- Erection of external cycle store in rear garden.
- Erection of waste storage enclosure in front setback area.

2.2 The extensions do not result in an increase in floorspace as they accommodate a change in floor levels only.

2.3 During the course of assessment the Applicant submitted revised drawings with the following changes in response to objections received from the public and advice received from Council officers:

- Addition of privacy screen to front lightwell
- Inconsistencies in drawings resolved
- Additional cycle parking spaces added
- Internal layout revised to increase size of bedroom
- Mailboxes added
- Water butts added

### 3 RELEVANT HISTORY

#### 3.1 18-20 Frogna1 (application site)

CTP/F6/6/A/26957: The erection of a rear extension at ground floor level to provide additional restaurant space. Granted 10/07/1979. *Note - May not have been implemented.*

8804188: Elevational alterations at the rear. Granted 02/11/1988.

8803934: Erection of a 5-storey rear extension plus other minor works including the infilling of the gap between the two buildings in connection with existing hotel use. Granted 24/11/1988

8870631: Demolition of parts of the roofs the rear extension and parts of the rear elevation to no. 18. Granted 24/11/1988.

2014/2634/PRE: Change of use from hotel (C1 Use) to 13 residential flats (C3 Use). Advice issued 30/05/2014.

#### 3.2 22 Frogna1 (adjoining site)

9005742 & 9005743: Change of use from residential flats to hotel use forming part of existing hotel at 18-20 Frogna1. Refused 26/03/1991. *Note - The agent confirmed that building is used as serviced apartments linked to hotel. Length of use unknown.*

### 3.3 **18-22 Frognal**

2007/5871/P: Erection of single storey garden pavilion connected via a timber and steel bridge link from the raised ground floor level rear bay window, for use ancillary to the Hotel (Class C1). Granted 28/05/2008. *Note - This application was the subject of a judicial review and the permission was subsequently quashed.*

2010/1773/P: Erection of single storey garden pavilion connected via a timber and steel bridge link from the raised ground floor level rear bay window, for use ancillary to the hotel (Class C1). Refused 18/08/2010.

#### **Sites within the Borough relevant to this application**

##### Individual sites at 77-82 Guilford Street

Application numbers 2012/6165/P, 2012/6166/P, 2012/6167/P, 2012/6168/P: Change of use from Nurses' Hostel (Sui Generis) to Residential (Use Class C3) (1 x 3 Bedroom Maisonette & 3 x 1 Bedroom Flat) and associated alterations, including removal of sub division walls.

2012/6165/P: Change of use from nurses hostel (Sui Generis) to a single-family dwelling (Class C3).

2012/6170/P: Change of use from nurses hostel (Sui Generis) to single- family dwellinghouse (Class C3).

##### 23-30 Kings Mews & 43-45 Grays Inn Road

2009/0710/P: Redevelopment of the site following the demolition of the existing 2 and 3 storey storage buildings at 23-30 Kings Mews including the erection of a new part 3, part 4 storey building to accommodate 18 private residential flats (10 x 1 bed, 5 x 2 bed, 3 x 3 bed), and erection of rear extension at first to third floor levels and mansard roof extension at fourth floor level at 43-45 Gray's Inn Road and provision of a new shopfront associated with the retained retail use at ground and basement floor levels, and change of use of the upper floors from part offices and part residential to a wholly residential use to accommodate 7 affordable flats (3 x 1 bed, 3 x 2 bed, 1 x 4 bed). *Granted 13/05/2009*

Site subsequently broken up and sold on

39-45 Gray's Inn Road: 2013/3231/P: Redevelopment to provide 16 residential units (12 x 2 bedroom, 3 x 1 bedroom and 1 x studio) and 545 sqm of ground floor and basement retail space (2 x Class A1 units), following partial demolition at Nos. 39 and 45 and full demolition at Nos. 41 and 43 Gray's Inn Road.

43 Gray's Inn Road:

2011/6278/P (08/02/2012) – Planning permission granted for the change of use

from office (Class B1) to residential (Class C3) at first, second and third floor level to create 4 x two bedroom self contained flats and associated works including the addition of a fourth floor level and the erection of a four storey rear extension from first to fourth floor level.

45 Gray's Inn Road:

2011/5576/P (24/02/2012) - Planning permission granted for the erection of 4th floor mansard roof extension to provide a 2 bedroom self-contained flat, and erection of rear extension at third floor level to extend the existing 1 bedroom flat into a 2 bedroom flat (Class C3).

25 King's Mews:

Ref: 2012/0972/P and 2012/3870/C (25/03/2013) - Planning permission and Conservation area consent Granted for the erection of three storey plus basement two bedroom dwelling with terrace at second floor level (Class C3), following partial demolition of two storey existing warehouse/storage building (Class B1/B8).

27 and 28 King's Mews:

2012/3101/P and 2012/3159/C (26); 2012/3125/P and 2012/3126/C (27) - Planning permission and Conservation area consent Granted subject to a Section 106 Legal Agreement for the erection of a three storey dwelling house with second floor terrace (Class C3) following partial demolition of existing office/warehouse (Class B1/B8).

27 King's Mews:

2013/1002/P and 2013/2081/C - Planning permission and Conservation area consent Granted subject to a Section 106 Legal Agreement for the erection of a three storey plus basement dwelling house with second floor terrace (Class C3) following partial demolition of existing office/warehouse (Class B1/B8).

28 King's Mews:

2012/3113/P and 2012/3190/C (07/02/2013) – Planning permission and Conservation area consent Granted for the erection of a three storey dwelling house with second floor terrace (Class C3) following partial demolition of existing office/warehouse (Class B1/B8).

## **4 CONSULTATIONS**

### **4.1 Statutory Consultees**

A site notice was displayed from 19/11/2014 to 10/12/2014 and the application was advertised in the Ham & High newspaper on 20/11/2014 with expiry date 11/12/2014.

## 4.2 Local Area Groups

4.2.1 The Redington & Frogna Conservation Area Advisory Committee did not respond to the consultation.

## 4.3 Adjoining Occupiers

<i>Number of letters sent</i>	36
<i>Total number of responses received</i>	4
<i>Number of electronic responses</i>	4
<i>Number in support</i>	0
<i>Number of objections</i>	4

4.3.1 Objections were received from Nos. 21, 23, 25 & 25A Netherhall Gardens, NW3 5RL (properties to the rear of the site). The objections raised the following issues:

- *Unacceptable impact on amenity of adjoining properties*
  - Loss of privacy from change of use, rear extension and dormers.
  - Increased noise from residential use.
  - Noise and dust from construction phase.
  - Loss of slope stability from landscaping works in rear garden.
- *Unacceptable design*
  - Rear extension not shown on plans.
  - Upset uniformity of design.
- *Landscaping*
  - Loss of trees, vegetation and green area in rear garden.
- *Traffic and transport*
  - The proposal would result in pressure on the availability of on-street parking.
  - Increased traffic would make Frogna less safe.
  - Construction phase would result in traffic disruption.

## 5 POLICIES

### 5.1 National Planning Policy Framework (2012)

National Planning Practice Guidance

### 5.2 The London Plan (2015)

London Housing SPG

### 5.3 LDF Core Strategy and Development Policies (2010)

CS1 Distribution of growth

CS4 Areas of more limited change  
CS5 Managing the impact of growth and development  
CS6 Providing quality homes  
CS8 Promoting a successful and inclusive Camden economy  
CS11 Promoting sustainable and efficient travel  
CS13 Tackling climate change through promoting higher environmental standards  
CS14 Promoting high quality places and conserving our heritage  
CS18 Dealing with our waste and encouraging recycling  
CS19 Delivering and monitoring the Core Strategy  
DP2 Making full use of Camden's capacity for housing  
DP3 Contributions to the supply of affordable housing  
DP5 Homes of different sizes  
DP6 Lifetime homes and wheelchair homes  
DP13 Employment sites and premises  
DP14 Tourism development and visitor accommodation  
DP16 The transport implications of development  
DP17 Walking, cycling and public transport  
DP18 Parking standards and limiting the availability of car parking  
DP22 Promoting sustainable design and construction  
DP23 Water  
DP24 Securing high quality design  
DP25 Conserving Camden's heritage  
DP26 Managing the impact of development on occupiers and neighbours  
DP28 Noise and vibration  
DP29 Improving access  
DP31 Provision of, and improvements to, open space and outdoor sport and recreation facilities

#### 5.4 **Supplementary Planning Policies (updated 2013)**

##### ***Camden Planning Guidance***

1 (Design); 2 (Housing); 3 (Sustainability); 5 (Town Centres, Retail & Employment); 6 (Amenity); 7 (Transport); and 8 (Planning Obligations)

##### ***Conservation Area Statements***

Redington and Froggnal Conservation Area Statement 2004

## 6 **ASSESSMENT**

- 6.1 This application has previously been presented at Planning Committee on 6th August 2015 where the principle of the change of use, housing mix, affordable housing, standard of accommodation, amenity, design, transport and sustainability issues were addressed. The previous committee report is attached as APPENDIX 1.
- 6.2 The application was recommended for approval subject to conditions and section 106 legal Agreement. The Planning Committee accepted the officer recommendation and resolved to approve the application.



6.3 Within the committee report was a head of term which required the applicant to undertake a reappraisal for affordable housing if 22 Frogna (adjoining site) were to be converted to residential use. The clause was worded as follows:

*Any change of use of No. 22 Frogna to residential (Use Class C3) would require provision of affordable housing commensurate with the scale of the entire site (i.e. Nos. 18-22).*

6.4 This head of term was included because based on the site history it appeared No.22 Frogna was used as serviced apartments under the management of the hotel. The site history records two applications in 2007 and 2010 relating to the site at 18-22 Frogna. Policy DP3 states that, *“the Council will seek to ensure that where two-or-more development sites are adjacent and related, the appropriate affordable housing contribution is comprehensively assessed for all the sites together. Where development sites are split or phased, the Council will seek to use legal agreements to ensure that all parts or phases make an appropriate affordable housing contribution”*

6.5 Since the previous committee date the applicant has provided evidence in the form of land registry documents demonstrating that 22 Frogna was sold by Coral Trend Limited to Costakis Georgeiou Symeou on 11th February 2014. Further Land Registry details indicate that the current owners of 18-20 (the application site) are Desilu Hampstead LTD.

6.6 The sale of 22 Frogna predates the start of the pre-app/application process for 18-20 Frogna. Pre-application advice was sought by the applicants on 3<sup>rd</sup> April 2014. With a full planning application submitted 14<sup>th</sup> November, long after 22 Frogna ceased to be owned by the applicant.

6.7 There is no existing direct access between the sites at 18-20 and 22 Frogna, nor are any proposed. Therefore, whilst the serviced apartments may have been operated under the hotel ownership prior to the site being sold to the applicant, it is not necessary in terms of their running or management for them to be associated in any way – both can be run as separate, unrelated entities. Since the applicant bought the site at 18-20 Frogna it has been run as a separate entity from the property at 22 Frogna.

6.8 There are similar sites and applications within the borough where affordable housing has not been required or sought as sites, which may have been adjacent or neighbouring each other and under the same ownership, have been sold off separately to unrelated parties (see planning history above).

6.9 At Guilford Street the previous owner had permission for nurses housing within 77-82 Guilford Street, subject to a s106 for affordable housing. The sites were subsequently sold on to separate unrelated owners. The legal advice at the time was that it would not be possible to require a contribution in this instance because the properties themselves would not reach either threshold (for affordable housing contributions), and as they are in different ownerships it would not be considered “adjacent and related” to the others in the terrace.

- 6.10 Similarly at 23-30 Kings Mews & 43-45 Grays Inn Road whereby 7 affordable housing units were secured in the initial redevelopment application; following the sale of each individual site to unrelated parties and subsequent planning applications affordable housing was not sought – again for the reasons of separate ownership.
- 6.11 Given that 22 Frognaal no longer relates to the application site and it has been demonstrated that the applicants only owned 18-20 Frognaal prior to the application being submitted, it is considered acceptable to remove this clause from the s106 legal Agreement.
- 6.12 The clause was added based on the site history and lack of ownership information at the time. The applicant has now clarified the ownership position and the clause is no longer required.

## 7 CONCLUSION

7.1 Planning Permission is recommended subject to a S106 Legal Agreement for the following Heads of Terms:

- Affordable Housing in-lieu contribution (£394,850.00);
- Energy strategy (40% below Part L 2013, 14.7% renewable) design stage and post-construction review;
- Sustainability- BREEAM ('excellent' target) design stage and post-construction review;
- Highways – Construction Management Plan;
- Highways – Repaving and repair works including removing two crossovers, one new crossover and repaving the footpath (£18,972.65);
- Highways – Pedestrian, cycling and environmental improvements contribution (£7,000.00);
- Highways – Car-free housing;

## 8 LEGAL COMMENTS

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Conditions and Reasons:

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:

Existing and Proposed Drawings: 98-001, 98-200, 98-201-P01, 98-202-P01, 98-203, 98-204, 98-205, 98-210, 98-211, 98-212, 98-220, 99-201-P01, 99-202, 99-203, 99-204, 99-205, 99-210, 99-211, 99-212, 00-100-P02, 00-201-

P01, 00-202-P02, 00-203, 00-204, 00-205, 00-206, 00-210-P01, 00-211-P01, 00-212, 00-220 and 00-230.

Background Papers & Supporting Documents: Email from Circle Housing dated 17/03/15; Email from Octavia Housing dated 10/04/15; Letter from NRG Consulting Ref: AT/CSH/18F dated 17/02/15; Lifetime Homes Statement; NIBE F370 Exhaust Air Heat Pump Specification; Sustainable Design & Construction Statement Ref: SDCS/FROG/201404/11 – AT by NRG Consulting dated November 2014; Planning Statement dated August 2014; and Viability Assessment and Supporting Documents by Savilles dated 07/11/14.

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

3. 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.

4. No development shall take place until full details of hard and soft landscaping have been submitted to and approved by the local planning authority in writing. Such details shall include details of waste storage enclosures, landscape screening of waste and cycle storage areas, and landscaping of rear garden between communal garden and private terraces. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

5. All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with

the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

6. Before the development commences, details of secure and covered cycle storage area for 22 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 policies DP17 and DP18 of the London Borough of Camden Local Development Framework Development Policies.

7. The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

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.

8. All trees on the site, or parts of trees growing from adjoining sites, shall be retained and protected from damage in accordance with the approved protection details in Arboricultural Impact Assessment Ref DFCEP 2535.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

9. No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

10. Prior to occupation of any relevant part of the development, the applicant will have constructed and implemented all the measures contained in the

Sustainable Design & Construction Statement Ref: SDCS/FROG/201404/11 – AT by NRG Consulting and such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

11. Prior to commencement of development details of rainwater harvesting and/or grey water recycling and a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a demonstrating 50% reduction in run off rates. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

1. 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).
2. The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail 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 this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. 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 correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

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/councilcontacts/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. 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. Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.

<b>Address:</b>	Langorf Hotel 18 - 20 Frognal London NW3 6AG		<b>6</b>
<b>Application Number:</b>	2014/5454/P	<b>Officer:</b> Alex McDougall	
<b>Ward:</b>	Frognal and Fitzjohns		
<b>Date Received:</b>	14/11/2014		
<b>Proposal:</b> Change of use from hotel (Class C1) to residential (Class C3) to provide 13 flats (4 x 1 bed, 7 x 2 bed, 2 x 3 bed), erection of single storey first floor rear extension, rear dormer roof extension, side dormer roof extension, and alterations and additions to doors and fenestration on side and rear elevations.			
<b>Background Papers, Supporting Documents and Drawing Numbers:</b>			
Existing and Proposed Drawings: 98-001, 98-200, 98-201-P01, 98-202-P01, 98-203, 98-204, 98-205, 98-210, 98-211, 98-212, 98-220, 99-201-P01, 99-202, 99-203, 99-204, 99-205, 99-210, 99-211, 99-212, 00-100-P02, 00-201-P01, 00-202-P02, 00-203, 00-204, 00-205, 00-206, 00-210-P01, 00-211-P01, 00-212, 00-220 and 00-230.			
Background Papers & Supporting Documents: Email from Circle Housing dated 17/03/15; Email from Octavia Housing dated 10/04/15; Letter from NRG Consulting Ref: AT/CSH/18F dated 17/02/15; Lifetime Homes Statement; NIBE F370 Exhaust Air Heat Pump Specification; Sustainable Design & Construction Statement Ref: SDCS/FROG/201404/11 – AT by NRG Consulting dated November 2014; Planning Statement dated August 2014; and Viability Assessment and Supporting Documents by Savilles dated 07/11/14.			
<b>RECOMMENDATION SUMMARY:</b> Grant conditional permission subject to s106 legal agreement.			
<b>Applicant:</b>		<b>Agent:</b>	
Mr Tarrin Constantine Coraltren Ltd Collingwood Business Centre Mercers Road London N19 4PU		Mr Andrew Paps Papa Architects Ltd 222 Archway Road Highgate N6 5AX	

### ANALYSIS INFORMATION

#### Land Use Details:

	Use Class	Use Description	Floorspace	
			GIA (sqm)	GEA (sqm)
Existing	C1	Hotel	998	1147
Proposed	C3(a)	Dwellings	998	1147

#### Residential Use Details:

	Residential Type	No. of Bedrooms per Unit		
		1	2	3
<b>Existing</b>	<i>C1 - Hotel</i>	30	0	0
<b>Proposed</b>	<i>C3(a) – Dwellings</i>	4	7	2



## OFFICER'S REPORT

**Reason for Referral to Committee: Major development involving the construction of more than 10 new dwellings or more than 1000 sq. mtrs of non-residential floorspace [Clause 3(i)].**

### 1 SITE

- 1.1 The site is located on the eastern side of Frognal between its intersection with Finchley Road to the south and Arkwright Road to the north, approximately 300m walk from Finchley Road and Frognal Overground station and 500m from Finchley Road Underground station.
- 1.2 The site is a 620sqm block comprising a semi-detached, turn of the 20<sup>th</sup> century, four storey plus basement building currently in use as a 30-bedroom hotel. The building is comprised of a semi-detached building and a detached building which were joined with a linking structure approved in 1988.
- 1.3 The area is generally characterised by residential uses; large semi-detached buildings to the north and large detached buildings to the south.
- 1.4 The site is located within the Redington & Frognal Conservation Area. The building on the site is identified as making a positive contribution to the character of the conservation area.
- 1.5 The site is located in an area with a Public Transport Accessibility Level (PTAL) of 6a (excellent).

### 2 THE PROPOSAL

- 2.1 The proposal includes the following elements:
  - Change of use from 30-bed hotel (Class C1) to 13 residential flats (Class C3). The proposal would provide 4 x 1 bed, 7 x 2 bed, and 2 x 3 bed units. Twelve of the units would be accessed via the original entrance door to No. 20 Frognal with a lift internally providing access to all floors. The remaining flat would be accessed independently via the original entrance door to No. 18 Frognal.
  - Erection of single storey first floor rear extension, measuring 2.0m (H) x 2.8m (W) x 2.2m (D), containing 1 window to the rear and a lean-to roof.
  - Erection of rear dormer roof extension, measuring 1.4m – 2.4m (H) x 2.2m (W) x 2.0m (D), containing 2 windows to the rear and a hipped roof.
  - Erection of side dormer roof extension, measuring 1.5m (H) x 1.4m (W) x 1.2m (D), containing one window, and a flat roof.
  - Alterations and additions to doors and fenestration on side and rear elevations including removal of lower ground floor southern side doors (2) and windows (3) and shifting six windows on the rear elevation up slightly (to accommodate change in floor levels)
  - The proposal would require the building to be completely rebuilt internally, including slight changes in floor areas.
  - Erection of external cycle store in rear garden.

- Erection of waste storage enclosure in front setback area.
- 2.2 The extensions do not result in an increase in floorspace as they accommodate a change in floor levels only.
- 2.3 During the course of assessment the Applicant submitted revised drawings with the following changes in response to objections received from the public and advice received from Council officers:
- Addition of privacy screen to front lightwell
  - Inconsistencies in drawings resolved
  - Additional cycle parking spaces added
  - Internal layout revised to increase size of bedroom
  - Mailboxes added
  - Water butts added

### 3 RELEVANT HISTORY

#### 3.1 18-20 Frogmal (application site)

CTP/F6/6/A/26957: The erection of a rear extension at ground floor level to provide additional restaurant space. Granted 10/07/1979. *Note - May not have been implemented.*

8804188: Elevational alterations at the rear. Granted 02/11/1988.

8803934: Erection of a 5-storey rear extension plus other minor works including the infilling of the gap between the two buildings in connection with existing hotel use. Granted 24/11/1988

8870631: Demolition of parts of the roofs the rear extension and parts of the rear elevation to no. 18. Granted 24/11/1988.

2007/5871/P: Erection of single storey garden pavilion connected via a timber and steel bridge link from the raised ground floor level rear bay window, for use ancillary to the Hotel (Class C1). Granted 28/05/2008. *Note - This application was the subject of a judicial review and the permission was subsequently quashed.*

2010/1773/P: Erection of single storey garden pavilion connected via a timber and steel bridge link from the raised ground floor level rear bay window, for use ancillary to the hotel (Class C1). Refused 18/08/2010.

2014/2634/PRE: Change of use from hotel (C1 Use) to 13 residential flats (C3 Use). Advice issued 30/05/2014.

#### 3.2 22 Frogmal (adjoining site)

9005742 & 9005743: Change of use from residential flats to hotel use forming part of existing hotel at 18-20 Frogmal. Refused 26/03/1991. *Note - The agent confirmed that building is used as serviced apartments linked to hotel. Length of use unknown.*

## 4 CONSULTATIONS

### 4.1 Statutory Consultees

A site notice was displayed from 19/11/2014 to 10/12/2014 and the application was advertised in the Ham & High newspaper on 20/11/2014 with expiry date 11/12/2014.

### 4.2 Local Area Groups

4.2.1 The Redington & Frogna Conservation Area Advisory Committee did not respond to the consultation.

### 4.3 Adjoining Occupiers

<i>Number of letters sent</i>	36
<i>Total number of responses received</i>	4
<i>Number of electronic responses</i>	4
<i>Number in support</i>	0
<i>Number of objections</i>	4

4.3.1 Objections were received from Nos. 21, 23, 25 & 25A Netherhall Gardens, NW3 5RL (properties to the rear of the site). The objections raised the following issues:

- *Unacceptable impact on amenity of adjoining properties*
  - Loss of privacy from change of use, rear extension and dormers.
  - Increased noise from residential use.
  - Noise and dust from construction phase.
  - Loss of slope stability from landscaping works in rear garden.
- *Unacceptable design*
  - Rear extension not shown on plans.
  - Upset uniformity of design.
- *Landscaping*
  - Loss of trees, vegetation and green area in rear garden.
- *Traffic and transport*
  - The proposal would result in pressure on the availability of on-street parking.
  - Increased traffic would make Frogna less safe.
  - Construction phase would result in traffic disruption.

## 5 POLICIES

### 5.1 National Planning Policy Framework (2012)

National Planning Practice Guidance

### 5.2 The London Plan (2015)

London Housing SPG

### 5.3 LDF Core Strategy and Development Policies (2010)

CS1 Distribution of growth

CS4 Areas of more limited change

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS8 Promoting a successful and inclusive Camden economy

CS11 Promoting sustainable and efficient travel

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS18 Dealing with our waste and encouraging recycling

CS19 Delivering and monitoring the Core Strategy

DP2 Making full use of Camden's capacity for housing

DP3 Contributions to the supply of affordable housing

DP5 Homes of different sizes

DP6 Lifetime homes and wheelchair homes

DP13 Employment sites and premises

DP14 Tourism development and visitor accommodation

DP16 The transport implications of development

DP17 Walking, cycling and public transport

DP18 Parking standards and limiting the availability of car parking

DP22 Promoting sustainable design and construction

DP23 Water

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP28 Noise and vibration

DP29 Improving access

DP31 Provision of, and improvements to, open space and outdoor sport and recreation facilities

### 5.4 Supplementary Planning Policies (updated 2013)

#### ***Camden Planning Guidance***

1 (Design); 2 (Housing); 3 (Sustainability); 5 (Town Centres, Retail & Employment); 6 (Amenity); 7 (Transport); and 8 (Planning Obligations)

#### ***Conservation Area Statements***

Redington and Froggnal Conservation Area Statement 2004

## 6 ASSESSMENT

### *Principle*

#### *Loss of Hotel*

6.1 Policy 4.5 of the London Plan sets a target of achieving 40,000 net additional hotel bedrooms across London by 2026. However, it only seeks protection of existing strategically important hotels. LDF policy DP14 states that Council will support tourism development and visitor accommodation in part by allowing smaller scale visitor accommodation in the town centres and protecting existing visitor accommodation in appropriate locations. Paragraph 14.6 also states that it may be appropriate to protect existing visitor accommodation with good transport accessibility that does not harm amenity, the environment or transport systems. While the site is in an area with good transport accessibility and there have not been significant complaints about the existing use, the loss of the hotel is considered to be acceptable in principle for the following reasons:

- The hotel is located in a residential area as opposed to a town centre.
- The hotel, at 30 beds, does not contribute significantly to the supply of visitor accommodation.
- The original use of the building was as residential accommodation.
- The hotel does not provide ancillary facilities to guests, such as terraces, pools, eating area, conference rooms or car parking reducing the demand for the subject hotel. Several hotels in the area do provide such facilities.

#### *Density*

6.2 Policy CS1 of the LDF Core Strategy seeks to focus growth in the most accessible parts of the borough. The London Plan provides recommended densities for residential development. The subject site has an area of approximately 620sqm, is located in an urban area, and has a PTAL of 6a. As such the London Plan recommends a density of 200-700 habitable rooms per hectare. The proposal has a density of 387 hr/ha and as such fits comfortably within the recommended density.

#### *Mix*

6.3 Camden Policy DP5 requires that all residential development provide an appropriate mix of dwelling sizes. The policy seeks 40% of all market housing as 2-bedroom dwellings, and a higher percentage of 3-bed over 1-bed units. The current proposal would provide 4 x 1 bed units (31%), 7 x 2 bed units (54%) and 2 x 3 bed units (15%). As the area is not identified as having a particular shortage of large family units and the mix is generally consistent with policy, the proposal is considered to be acceptable in this regard.

#### *Affordable Housing*

6.4 Policy DP3 requires that major development contribute to the supply of affordable housing. The policy applies on a sliding scale, where 10 units or 1,000sqm of new housing must provide 10% affordable housing, up to 50+ units or 5,000sqm providing

50% affordable housing. As the proposal includes 13 units it must provide 13% as affordable housing which equates to 149sqm of gross external floor space.

- 6.5 LDF policy DP3 outlines that the first preference for affordable housing is on site provision. It is standard practice that affordable housing have separate access from market units. The site is arranged such that a large 3-bed unit has separate access via the former entrance to No. 18 Frognaal. Securing this unit as affordable would go some way to satisfying the development's requirement for affordable housing. The Applicant has provided evidence that they have contacted several registered providers (RPs) about taking on the unit (Circle Housing & Octavia Housing). However, the RPs stated that they would not be willing to take on an individual unit because, while they have done so in the past, it has not proved economically viable. Council's Housing Partnership team agree that it is often untenable for RPs to take on individual units due to the lack of an economy of scale. As such it is accepted that affordable housing cannot be provided on site.
- 6.6 The next preference in DP3 is for off-site affordable housing. The applicant engaged with Council's Housing Partnerships team to inquire about contributing to the provision of affordable housing through one of Council's Community Investment Programme (CIP) schemes in the area. While there were CIP schemes in the area, they had either already been funded, required very large contributions or the timing of the contribution would not have coincided with the schedule of delivery. Council's policy team agreed that off-site housing had been reasonably explored by the applicant but that no appropriate scheme could be found.
- 6.7 The final option, an affordable housing contribution in lieu, is thus considered to be acceptable in this case. The Applicant has agreed to the full in-lieu financial contribution of £394,850.00 (149sqm x £2,650/sqm) which will be secured via legal agreement. As the full contribution is to be paid, there is no requirement for a deferred affordable housing contribution.
- 6.8 For the reasons listed above the proposal is considered to provide an appropriate contribution to affordable housing, in keeping with LDF policy DP3.

#### *Adjoining Properties (Future Expansion)*

- 6.9 As outlined in the history section above, No. 22 Frognaal appears to have been under the management of the hotel and was used, without planning permission (but perhaps regularised over time), as serviced apartments (Class C1). Previous planning applications have been submitted to Council for Nos. 18-22 as a single site. Policy DP3 states that, "*the Council will seek to ensure that where two-or-more development sites are adjacent and related, the appropriate affordable housing contribution is comprehensively assessed for all the sites together. Where development sites are split or phased, the Council will seek to use legal agreements to ensure that all parts or phases make an appropriate affordable housing contribution*". As such it is considered that terms in the s106 agreement should require that any change of use of No. 22 Frognaal to residential (Use Class C3) require provision of affordable housing commensurate with the scale of the entire site (i.e. Nos. 18-22).

6.10 For the reasons listed above the proposal is considered to be acceptable in principle subject to the following material considerations:

- Standard of Accommodation
- Design and Appearance
- Neighbour Amenity
- Transport
- Sustainability
- Waste
- Trees, Biodiversity & Landscaping
- Planning Obligations

### **Standard of Accommodation**

#### *Residential development standards*

6.11 CPG2 and the London Plan require that new self-contained dwellings should satisfy minimum areas for overall floorspace. Five of the units do not meet the minimum overall size requirements in CPG2. Two of the units fail to comply by only 1sqm (1.3%) which is considered to be negligible. Given that the three units that do not comply, described on the plans as Flats 5, 8 and 18 Frognal, represents only a minor non-compliance with the overall space standard in CPG2, several of the other units are in excess of the minimum requirements, and the proposal is conversion of an existing building, the unit sizes are generally considered to be acceptable. Please refer to Figure 1, below, for unit specification summary.

	Flat	Bed-rooms	Bed-spaces	GIA (m <sup>2</sup> ) Prop	GIA (m <sup>2</sup> ) Req'd CPG2	Comply ?	Private Amenity Space (m <sup>2</sup> )	Outlook
Basement	1	2	4	74	75	NO	18.5	Dual E-W
	2	3	6	132	93	YES	23.2	Dual E-W
Ground	3	1	2	53	48	YES	0	Dual E-W
	4	1	2	51	48	YES	0	Single E
	18 Frognal	3	5	78	84	NO	0	Dual E-W
1 <sup>st</sup> Floor	5	2	4	70	75	NO	0	Dual E-W
	6	2	3	61	61	YES	0	Single W
	7	1	2	53	48	YES	0	Single E
2 <sup>nd</sup> Floor	8	2	4	63	75	NO	0	Dual E-W
	9	2	3	62	61	YES	0	Dual E-W
	10	1	2	50	48	YES	0	Single E
3 <sup>rd</sup> Floor	11	2	4	74	75	NO	0	Dual E-W
	12	2	4	83	75	YES	0	Dual E-W
Communal	-	-	-	94	-	-	201	-
<b>Total</b>	-	<b>24</b>	<b>45</b>	<b>998</b>	-	-	<b>242.7</b>	-

**Figure 1. Summary of residential standards**

6.12 Camden Planning Guidance requires that first and double bedrooms achieve a minimum floor area of 11sqm and the London Plan requires these rooms to be at least 12sqm. The proposed bedrooms comfortably meet both standards.

#### *Layout*

6.13 The units have generally been arranged so that matching room types in adjoining flats paired and stacked so as to reduce conflict between the living and sleeping areas of the dwellings.

6.14 Internal storage areas have been provided.

#### *Light and outlook*

6.15 All units would benefit from good daylight and sunlight with all but 4 having dual east and west outlook and no units being single aspect north facing.

#### *Amenity Space*

6.16 Ideally, each unit would have access to a balcony or private terrace. The basement flats open to the rear into private gardens beyond which there would be a communal amenity area. Appropriate landscape screening between the private and communal gardens will be secured through condition. Given the constraints on the site, the proposal is considered to be acceptable with regard to amenity space for occupants.

#### *Air Quality & Noise*

6.17 The building is considered to be adequately separate from the nearest sources of air and noise pollution. As such no special measures are required with regard to these matters.

#### *Lifetime Homes*

6.18 The Applicant has submitted a Lifetime Homes Assessment. Several of the criteria are not achievable due to the historic nature of the building. It is considered that the proposed units adequately satisfy or are easily adaptable to satisfy all relevant criteria. Notwithstanding, a condition is recommended requiring that the relevant design features are implemented.

#### *Wheelchair housing*

6.19 As the proposal would result in 13 units the proposal should include at least 1 wheelchair unit. The proposal does not include any wheelchair compatible units. The building has large front steps and no level access. As the building contributes to the historic character of the area it is not considered feasible to increase the accessibility of the site. As such no objection is raised with regard to wheelchair housing.

#### *Servicing*

6.20 In respect of servicing, space for the storage of refuse and recycling for the residents is provided in a dedicated area in the front garden.



- 6.21 The waste storage area is in a convenient location for residents entering and exiting the site. The waste storage area is also close enough to the front boundary to allow easy collection for waste vehicles waiting on Finchley Road. Details of waste storage enclosures will be secured via condition.
- 6.22 The cycle storage would also be easily accessible in the front setback area. Cycle parking would be secured via condition.
- 6.23 The proposed units are considered to generally provide a satisfactory standard of accommodation. The proposal provides dwellings that generally satisfy London Plan requirements for dwelling sizes and room sizes and many of the London Housing SPG recommendations.

### **Design and appearance**

- 6.24 Consideration of the design and appearance of all alterations and additions and their impact on the wider character of the conservation area are requirements of policies CS5 'Managing the impact of growth and development', CS14 'Promoting high quality places and conserving our heritage', DP24 'Securing high quality design' and DP25 'Conserving Camden's heritage'

#### *Rear Extension*

- 6.25 The proposed first floor rear extension is considered to have an acceptable impact on the appearance of the building and the character of the conservation area for the following reasons:
- The extension is considered to be of a scale in keeping with the size of the existing building.
  - The extension would remain a full storey below the height of the building, in keeping with the requirements of CPG1.
  - The rear extension would be no deeper than the predominant rear building line of the site and as such would not appear overly bulky.
  - The rear of the building is not readily visible from any public place.
  - The proposal would be of high quality materials which match the existing building. Notwithstanding, a condition is recommended ensuring appropriate materials are used.

#### *Rear Dormer Extension*

- 6.26 The proposed rear dormer roof extension is considered to have an acceptable impact on the appearance of the building and the character of the conservation area for the following reasons:
- While the dormer would exceed the ridge height of the roof face, the dormer would match an existing dormer in the same roof face.
  - The majority of the rear roof faces in the area have non-original dormer extensions.
  - There is no established character to the rear roof faces in the area.

- The rear of the building is not readily visible from any public place.
- The proposal would be of high quality materials which match the existing building. Notwithstanding, a condition is recommended ensuring appropriate materials are used.

#### *Side Dormer Extension*

6.27 The proposed side dormer roof extension is considered to have an acceptable impact on the appearance of the building and the character of the conservation area for the following reasons:

- The dormer is set down from the ridge and up from the eaves in keeping with CPG1.
- The dormer is small in keeping with the scale of the side roof face.
- The side dormer is to the rear of the side roof face, behind a chimney, and as such would not be readily visible from any public place.
- The proposal would be of high quality materials which match the existing building. Notwithstanding, a condition is recommended ensuring appropriate materials are used.

#### *Alterations to Fenestration*

6.28 The proposed fenestration alterations are considered to have an acceptable impact on the appearance of the building and the character of the conservation area for the following reasons:

- The ground floor side elevation is not readily visible from any public space or adjoining properties and as such does not make a material contribution to the character of the building.
- The same sized windows, in the same vertical plane, would remain on the rear elevation.

#### **Neighbour Amenity**

6.29 Consideration of any amenity impacts to neighbours is a requirement of policy CS5 'Managing the Impact of Growth and Development', and DP26 'Managing the Impact of Development on Occupiers and Neighbours'.

#### *Change of Use*

6.30 The change of use to residential is not considered to have an unacceptable impact on the amenity of adjoining/nearby properties for the following reasons:

- In respect of noise and general disturbance, the council's environmental health team raises no objection to the proposal. Any noise would be consistent with the residential nature of the area, it being noted that any unreasonable or excessive noise or disturbance is covered by the Environmental Protection Act 1990.
- In respect of privacy, the 30 bed hotel could feasibly occupy up to 60 people at a time whereas the residential use proposed would have 45 bed spaces. The site is thus likely to contain a similar, if not fewer, number of people at any given

time.

- The proposal is in keeping with the original use of the site and the character of the area.

#### *Rear Extension*

6.31 The proposed rear extension is considered to have an acceptable impact on the amenity of adjoining and nearby properties for the following reasons:

- As the extension is generally within the envelope of the existing building and to the north of adjoining properties it would not have a material impact on the outlook, sense of enclosure or solar access of adjoining and nearby buildings.
- As the proposal replaces an existing rear facing window, and there are no adjoining or nearby windows within close and direct views of the proposed window, it would not have a material impact on the privacy of adjoining properties.

#### *Rear Dormer Extension*

6.32 The proposed rear dormer roof extension is considered to have an acceptable impact on the amenity of adjoining and nearby properties for the following reasons:

- Due to its location towards the middle of the site between two existing roof projections and given the orientation of the building the proposal would not have a material impact on the outlook, sense of enclosure or solar access of adjoining and nearby buildings.
- There are no adjoining or nearby windows within close and direct views of the proposed window and as such it would not have a material impact on the privacy of adjoining properties.

#### *Side Dormer Extension*

6.33 The proposed side dormer roof extension is considered to have an acceptable impact on the amenity of adjoining and nearby properties for the following reasons:

- Due to its small size, location beside an existing chimney and its orientation to the north of adjoining properties the proposal would not have a material impact on the outlook, sense of enclosure or solar access of adjoining and nearby buildings.
- The proposed window would look out over the roof-scape of the adjoining property to the south and not be within direct view of adjoining windows. As such the proposal would not have a material impact on the privacy of adjoining properties.

#### *Alterations to Fenestration*

6.34 The proposal includes raising several windows on the rear elevation slightly. These more elevated positions are not considered to result in a material increase in overlooking of adjoining properties. As such, the proposed alterations to fenestration are considered to have an acceptable impact on the amenity of adjoining and nearby properties.

### *Construction*

- 6.35 Based on the scale of the development it is considered that a Construction Management Plan (CMP) should be secured by way of s106 legal agreement to ensure that noise, air pollution, traffic, parking, site safety, demolition waste and debris are considered, reviewed and monitored.

### **Transport**

- 6.36 Policy CS11 seeks to promote sustainable transport including walking, cycling, public transport and improvements to streets and places.

### *Car Parking*

- 6.37 Core Strategy Policy CS7 (Promoting sustainable and efficient travel and policies), Development Policies DP18 (Parking standards and limiting the availability of parking) and DP19 (Managing the impact of parking of the Camden Development Policies) and Camden Planning Guidance (CPG) 7 - Transport are relevant in the consideration of car parking.
- 6.38 DP18 states that, "*the Council will expect development to be car free in the Central London Area, the town centres of Camden Town, Finchley Road / Swiss Cottage, Kentish Town, Kilburn High Road and West Hampstead, **and other areas within Controlled Parking Zones that are easily accessible by public transport***" (emphasis added). CPG7 states that 'highly accessible area' are those that exceed a PTAL of 4.
- 6.39 The site has a Public Transport Accessibility Level (PTAL) of 6a (excellent). The site is within a short walk of several underground stations, an overground station and numerous bus routes on Finchley Road. The site is also within the Belsize Controlled Parking Zone (CPZ), a CPZ which is currently above capacity. As such the proposal will be expected to be a car-free development. Specifically, no regular private car parking will be considered acceptable on site and residents will not be considered eligible for access to the on-street car parking scheme. These restrictions will be formally secured through the s106 legal agreement.

### *Cycle Parking*

- 6.40 Policy requires 2 cycle parking spaces for units with 2+ bedrooms, and 1 space otherwise. As such the development requires 22 cycle parking spaces. The proposal includes plans to provide a cycle store in the rear garden for 15 cycles. However, there is considered to be sufficient space in the rear garden for additional spaces. Full details of the cycle storage facility have not been provided. As such a condition is recommended requiring full details and implementation of a cycle storage enclosure for 22 cycles be provided prior to occupation.

### *Construction*

- 6.41 Given the scale of the fit-out works a construction management plan (CMP) is considered to be necessary to ensure the proposal would not have an unacceptable impact on the traffic network. The CMP will be secured via legal agreement.

## **Sustainability**

- 6.42 LDF Policy DP22 requires residential conversions to incorporate sustainable design and construction measures and achieve 60% of the un-weighted credits in the BREEAM 'excellent' rating.
- 6.43 London Plan Chapter 5 sets out the Mayor's response to tackling climate change, requiring all development to make the fullest contribution to climate change mitigation. This includes minimising CO2 emissions in accordance with Policy 5.2 as well as requiring a range of measures to be incorporated into schemes pursuant to Policies 5.9-5.15. The overall approach to energy should be in line with the Mayor's Energy Hierarchy (i) using less energy ('be lean'); ii) supplying energy efficiently ('be clean'); iii) using renewable energy ('be green'). This approach is reflected in Council's policies CS13, DP22, DP23 and DP32.
- 6.44 The scheme includes the following sustainability measures: 27 roof mounted solar PV panels, overhauling/upgrading windows, new boiler, LED lighting, meters, timers, sensors, controls on heating or lighting, bathroom lights controlled by PIR, mechanical ventilation, hot water tank & pipes insulation, roof insulation, rainwater butts and external wall insulation. The proposal includes a BREEAM Domestic Refurbishment Pre-Assessment which demonstrates that the proposal will achieve the 'excellent' criteria as required by DP22.
- 6.45 Camden Policy requires a 20% energy reduction through renewable technologies (after fabric upgrades) wherever feasible. The proposal would achieve a figure of 14.7%. While this is less than ideal, the offer is considered to be acceptable given the proposal involves retrofitting an existing historic building.
- 6.46 LDF policy DP23 requires that developments in areas known to be at risk of flooding as defined by Map 2 (such as Frognaal, which was flooded in 2002) are designed to cope with flooding by including mitigation measures. While the proposal does not result in a material increase in hard-standing on the site, given the proposed use would be more susceptible to private property damage, it is considered that a sustainable urban drainage system (SUDS) should be provided. As such a condition will be included requiring the applicant provide details of a SUDS system that will reduce existing run off from the site by 50%.
- 6.47 While the site is in an area at risk of surface water flooding, the building is existing and the proposal does not include any self-contained units below ground. As such a floor risk assessment is not considered to be necessary.
- 6.48 As such the proposal is considered to provide an adequate level of sustainability. As part of the s106 legal agreement design stage and post construction testing will be required to ensure that the finished building is in keeping with above stated standards.

## **Waste**

- 6.49 Section 10 (Waste) of Camden Planning Guidance 1 (Design) sets requirements for the provision of waste storage.

6.50 The proposal includes two large waste storage areas to the front of the site, close to the pick-up point. These areas are considered to be commensurate in size with the scale of development.

### **Trees, Biodiversity and Landscaping**

6.51 The proposal does not require the removal of any trees or require any re-grading.

6.52 The rear garden would be divided into a communal garden area (approximately 260sqm) and private terraces for the two lower ground floor flats that back on to the garden. A strip of landscaping would provide privacy between the two uses. The rear garden would be easily accessible to all occupants down the southern side passageway.

6.53 The existing front boundary wall, fence and trees would be maintained with waste and cycle storage installed behind. It is considered that these areas may be unsightly and as such a condition is recommended requiring details of further screen planting along the front boundary wall.

6.54 The proposal does not include a detailed landscape plan. As such a condition is recommended requiring that details of such landscaping be provided prior to construction. Subject to the terms above the proposal is considered to provide appropriate landscaping.

### **Planning obligations**

6.55 In accordance with CS19 'Delivering and Monitoring the Core Strategy' and CPG8 'Planning Obligations' the following additional obligations are considered appropriate to meet the particular needs and requirements for the operation of the scheme and to mitigate identified impacts to make the scheme acceptable.

#### *Public open space, educational infrastructure, community facilities*

6.56 The proposal would result in additional residents and an associated increase in demands on existing local open space, education and community infrastructure. The development would be liable for Camden CIL, which, if applicable, would cover the costs of such infrastructure. There are no specific open space, educational or community facilities in the vicinity of the site for which a pooled s106 contribution could be secured.

#### *Highways*

6.57 The proposal would require extensive fit out works likely to damage the footway in front of the site. Given the size of the site a contribution of £18,972.65 towards such works is considered to be appropriate.

6.58 The proposal would involve a change in the way that pedestrians access the site and move in and around the site. As such, based on the size of the development, it is considered that a way-finding sign should be provided at the applicant's expense (£7,000.00) as a contribution to public realm infrastructure. .

#### *Mayoral Community Infrastructure Levy*

6.59 The development, subject to exemptions, may be liable for the Mayor's Community Infrastructure Levy (CIL) because it involves the creation of residential units. However, it is highly likely that it will receive an exemption for all floorspace as it is currently in a legal use. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £49,900.00 (residential uplift of 998sq.m @ £50/sqm).

#### *Camden Community Infrastructure Levy*

6.60 The development, subject to exemptions, may be liable to Camden's Community Infrastructure Levy (CIL) because it involves the creation of additional residential units. However, it is highly likely that it will receive an exemption for all floorspace as it is currently in a legal use. The size is in Zone C and as such, based on the Camden CIL charging schedule, and the information given on the plans, the charge would be approximately £499,000.00 (residential uplift of 998sqm @ £500/sqm).

6.61 The CILs would be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. A standard informative is attached to the decision notice drawing CIL liability to the Applicant's attention.

## **7 CONCLUSION**

7.1 Planning Permission is recommended subject to a S106 Legal Agreement for the following Heads of Terms:

- Affordable Housing in-lieu contribution (£394,850.00);
- Affordable Housing Reassessment (if adjoining sites are converted to residential)
- Energy strategy (40% below Part L 2013, 14.7% renewable) design stage and post-construction review;
- Sustainability- BREEAM ('excellent' target) design stage and post-construction review;
- Highways – Construction Management Plan;
- Highways – Repaving and repair works including removing two crossovers, one new crossover and repaving the footpath (£18,972.65);
- Highways – Pedestrian, cycling and environmental improvements contribution (£7,000.00);
- Highways – Car-free housing;

## **8 LEGAL COMMENTS**

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Conditions and Reasons:

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:

Existing and Proposed Drawings: 98-001, 98-200, 98-201-P01, 98-202-P01, 98-203, 98-204, 98-205, 98-210, 98-211, 98-212, 98-220, 99-201-P01, 99-202, 99-203, 99-204, 99-205, 99-210, 99-211, 99-212, 00-100-P02, 00-201-P01, 00-202-P02, 00-203, 00-204, 00-205, 00-206, 00-210-P01, 00-211-P01, 00-212, 00-220 and 00-230.

Background Papers & Supporting Documents: Email from Circle Housing dated 17/03/15; Email from Octavia Housing dated 10/04/15; Letter from NRG Consulting Ref: AT/CSH/18F dated 17/02/15; Lifetime Homes Statement; NIBE F370 Exhaust Air Heat Pump Specification; Sustainable Design & Construction Statement Ref: SDCS/FROG/201404/11 – AT by NRG Consulting dated November 2014; Planning Statement dated August 2014; and Viability Assessment and Supporting Documents by Savilles dated 07/11/14.

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

3. 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.

4. No development shall take place until full details of hard and soft landscaping have been submitted to and approved by the local planning authority in writing. Such details shall include details of waste storage enclosures, landscape screening of waste and cycle storage areas, and landscaping of rear garden between communal garden and private terraces. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

5. All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season



following completion of the development or any phase of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

6. Before the development commences, details of secure and covered cycle storage area for 22 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 policies DP17 and DP18 of the London Borough of Camden Local Development Framework Development Policies.

7. The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

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.

8. All trees on the site, or parts of trees growing from adjoining sites, shall be retained and protected from damage in accordance with the approved protection details in Arboricultural Impact Assessment Ref DFCP 2535.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

9. No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

10. Prior to occupation of any relevant part of the development, the applicant will have constructed and implemented all the measures contained in the Sustainable Design & Construction Statement Ref: SDCS/FROG/201404/11 – AT by NRG Consulting and such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

11. Prior to commencement of development details of rainwater harvesting and/or grey water recycling and a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a demonstrating 50% reduction in run off rates. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

1. 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).
2. The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail 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 this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and

who will be liable.

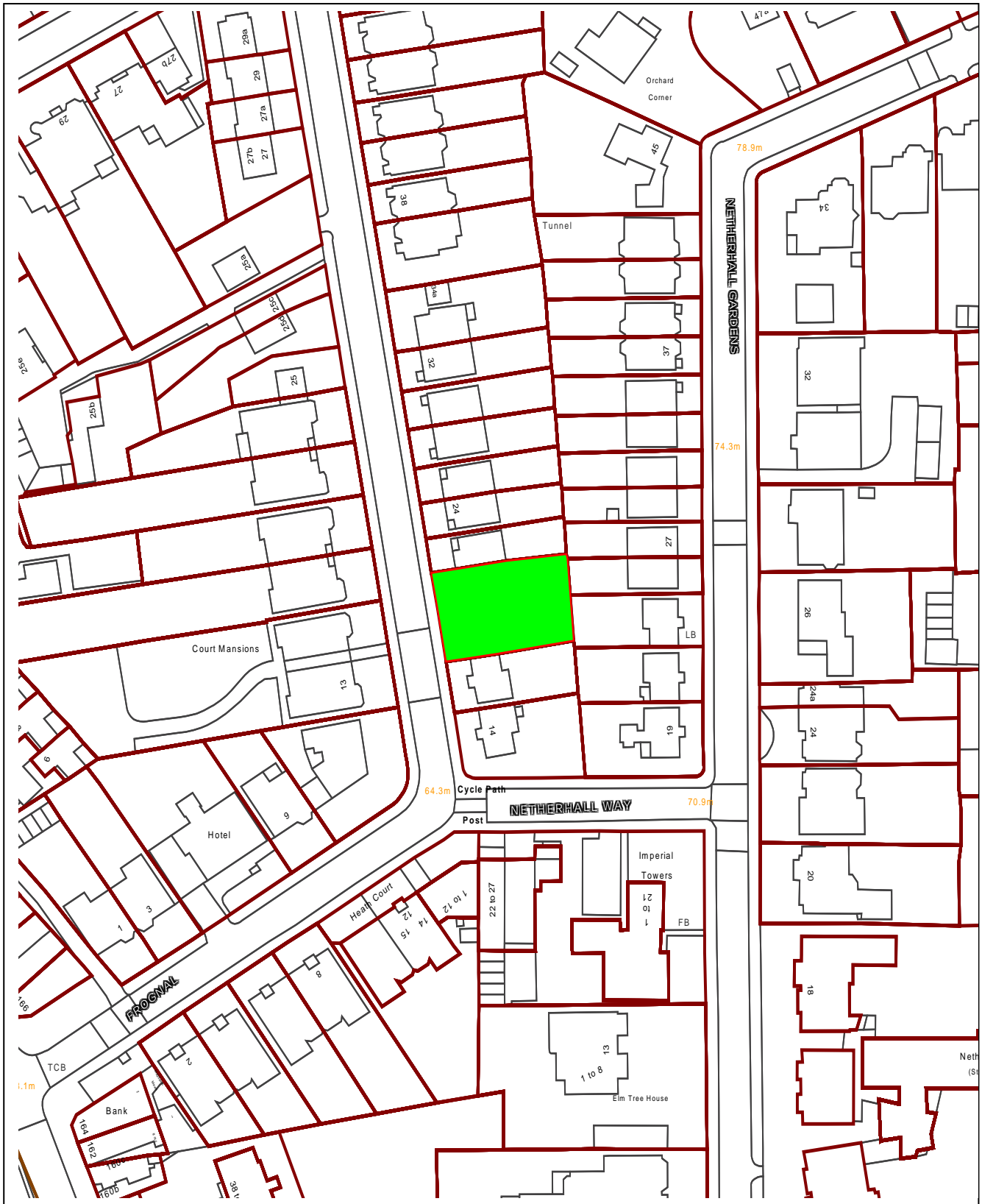
The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.


<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. 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 correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

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/councilcontacts/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. 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. Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.



	<p><b>Application No: 2014/5454/P</b></p> <p><b>Langorf Hotel</b>  <b>18 - 20 Froggnal</b>  <b>London NW3 6AG</b></p>	<p><b>Scale:</b>  <b>1:1250</b></p> <p><b>Date:</b>  <b>24-Jul-15</b></p>	<p><b>N</b></p> 
<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.</p>			

2014/5454/P  
Langorf Hotel  
18 – 20 Frognal

# Location Plan





# Aerial Photo





# Front of Site





# Proposed Front Elevation (Unchanged)



# Proposed Rear Elevation

(Rear extension, rear dormer, revised windows)

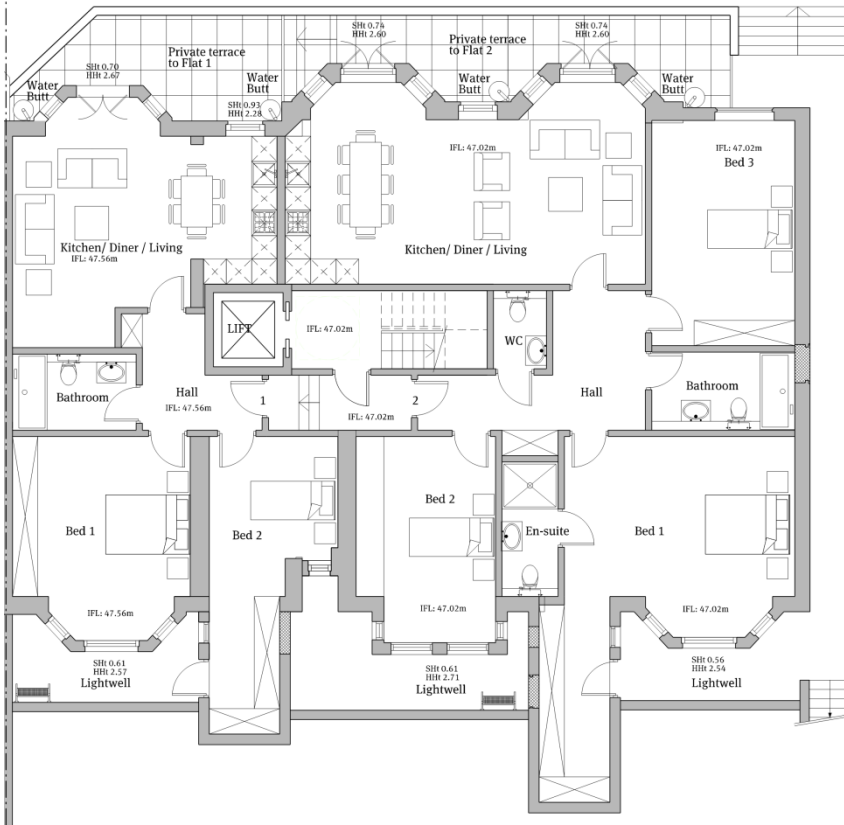


# Proposed Side (South) Elevation

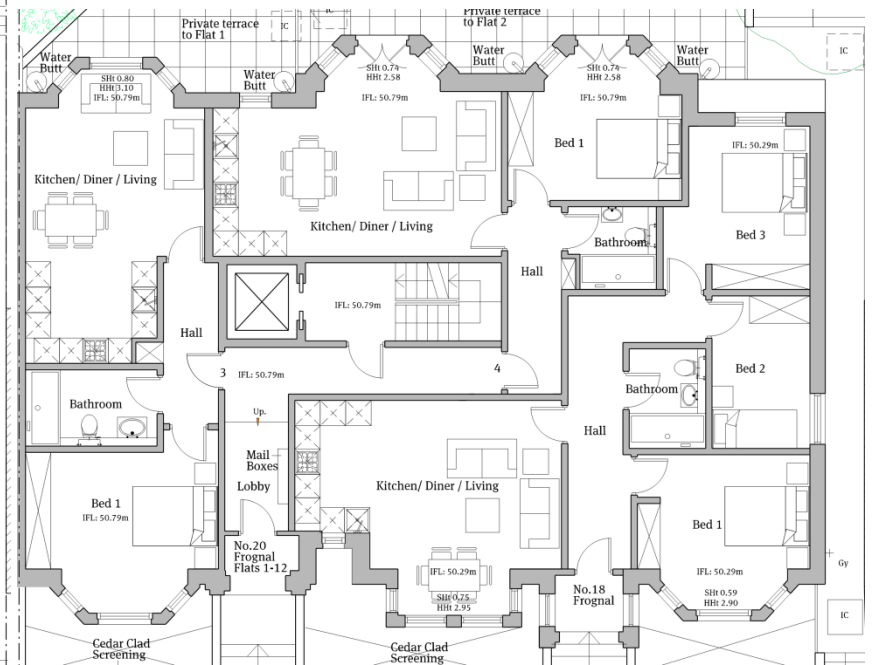
(Rear extension, side dormer, revised fenestration)



# Proposed Floor Plans

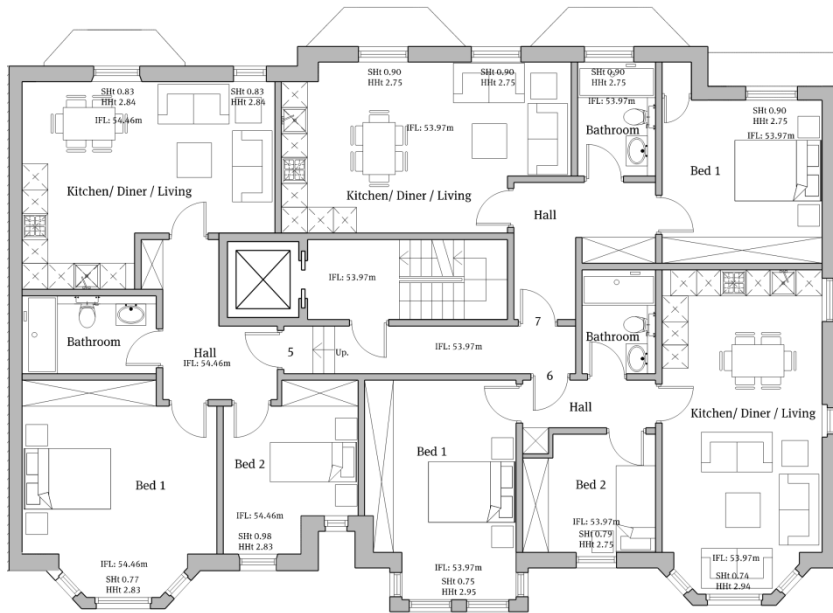


**Lower Ground**

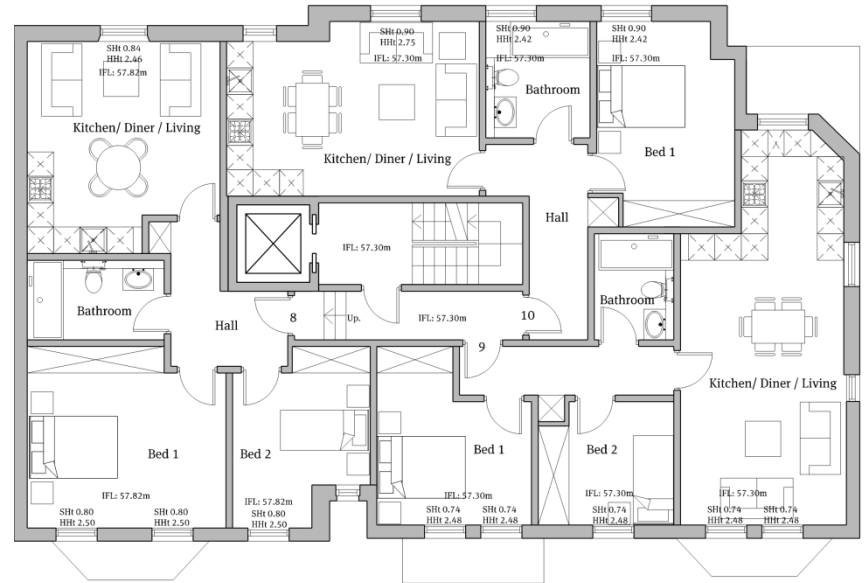


**Upper Ground**

# Proposed Floor Plans



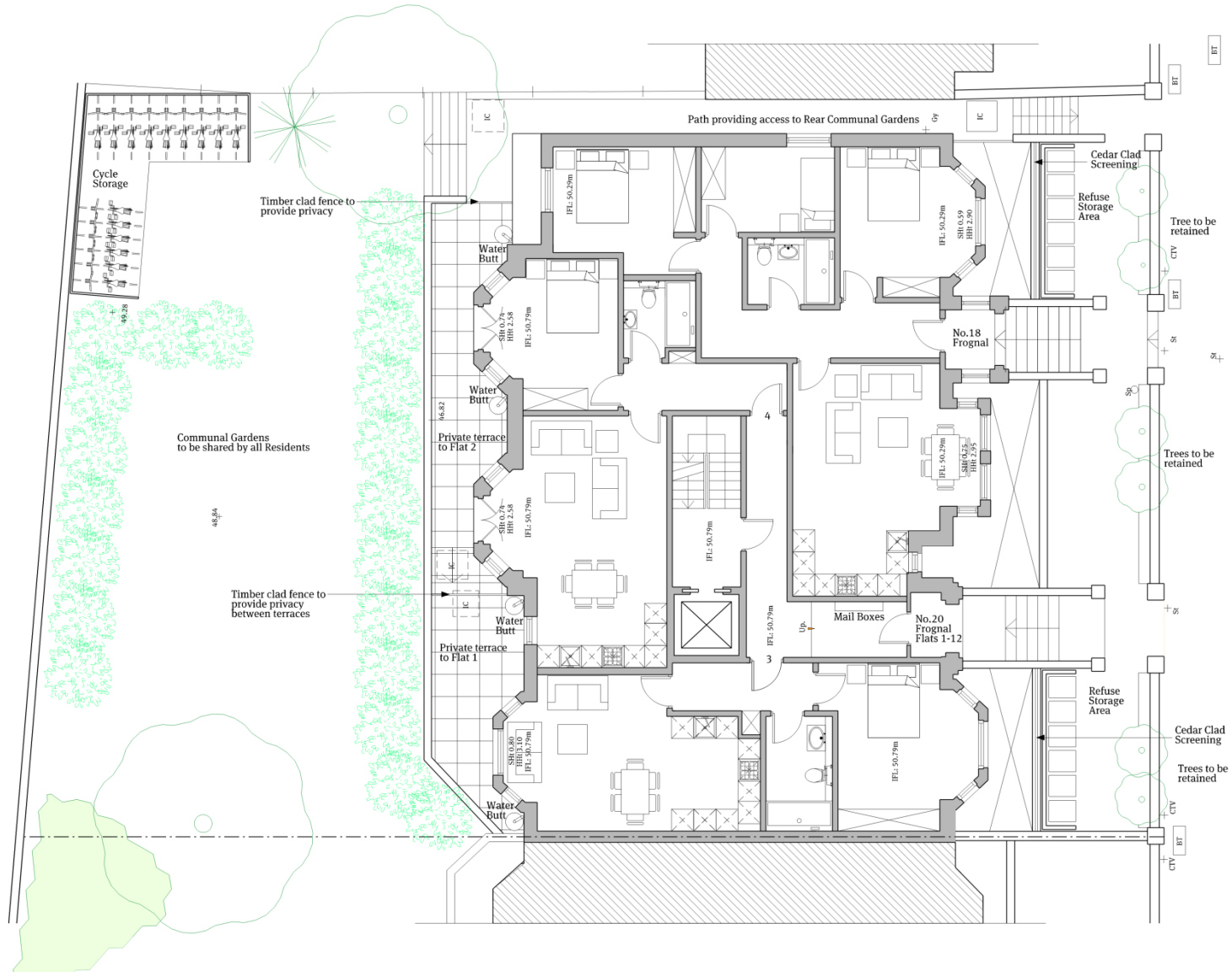
**First**

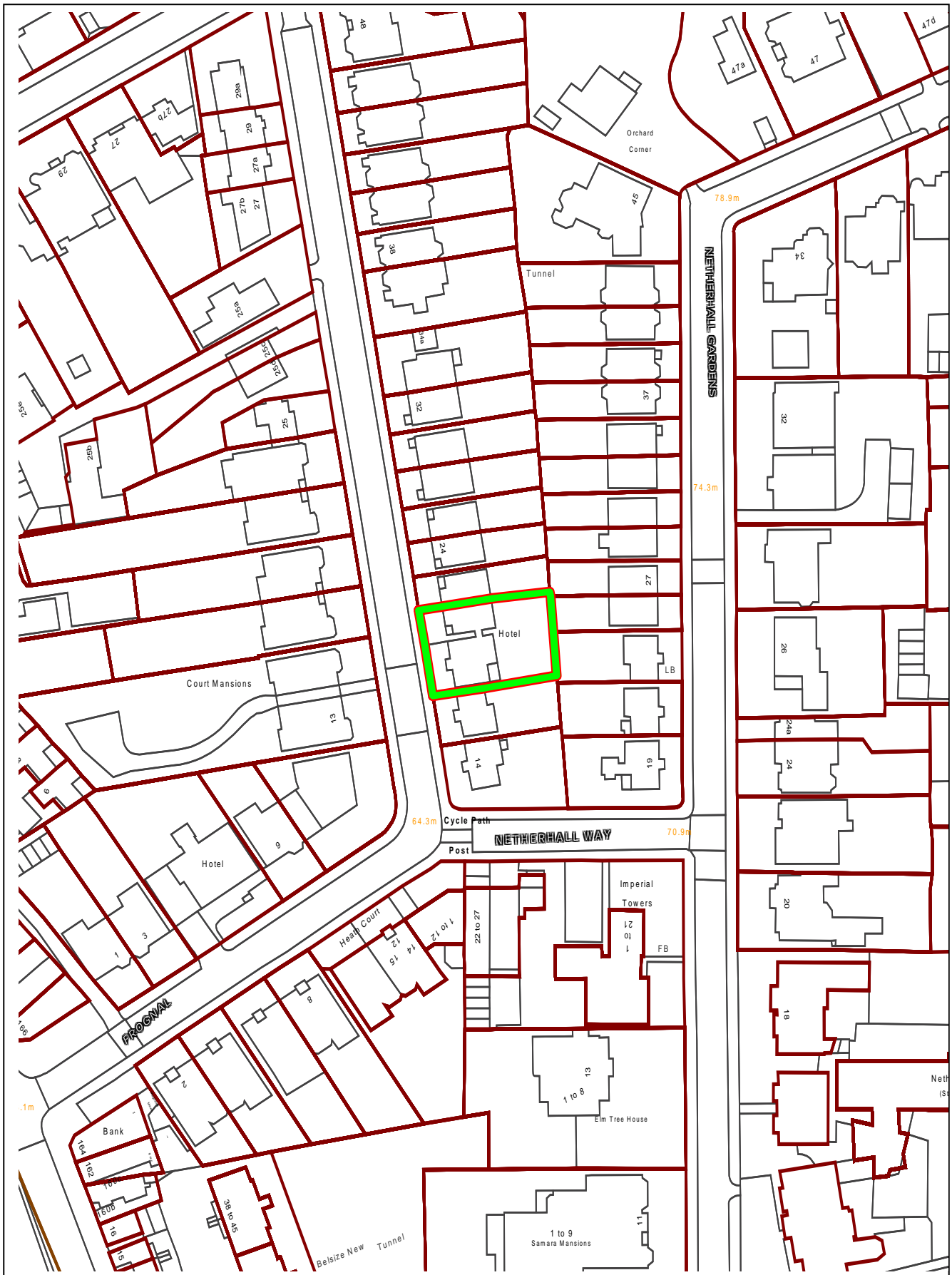



**Second**



# Proposed Landscape Layout





	<p><b>Application No: 2014/5454/P</b>  <b>Langorf Hotel</b>  <b>18 - 20 Frognal</b>  <b>London , NW3 6AG</b></p>	<p><b>Scale:</b>  <b>1:1250</b>  <b>Date:</b>  <b>20-Jan-17</b></p>	<p><b>N</b>  </p>
<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.</p>			