

Mr Thomas Denhof
DenhofDesign
Garden flat
153 Norwood High Street
London
SE27 9TB

Application Ref: **2017/3606/P**
Please ask for: **John Diver**
Telephone: 020 7974 **6368**

7 November 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:
34 Shoot-up Hill
London
NW2 3QB

Proposal:
Conversion of no.2 garages into no.1 self-contained 1bed2person residential flat (C3) including single storey side extension, installation of ground floor lightwells; alteration to levels, landscaping and associated alterations.
Drawing Nos: (Prefix: 34SH SU.) 001PL3, 002PL3, 003PL3, 004PL4, 005PL3; (Prefix: 34SH 01.) 001PL5, 002PL4, 003PL3, 004PL4, 005PL3; Design and Access Statement (ref. 34SH 170619); 34SH SU.000PL3; Daylight Assessment report (v3 ref. H2329)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and



Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

(Prefix: 34SH SU.) 001PL3, 002PL3, 003PL3, 004PL4, 005PL3; (Prefix: 34SH 01.) 001PL5, 002PL4, 003PL3, 004PL4, 005PL3; Design and Access Statement (ref. 34SH 170619); 34SH SU.000PL3; Daylight Assessment report (v3 ref. H2329)

Reason:

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

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including elevations and sections store at 1:20 and materials details of the single storey glazed side extension and external doors

b) Plan, elevation and section drawings, of the proposed cycle and refuse store including materials details at a scale of 1:20;

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ [and $L_{nT,w}$] of at least 5dB above the Building Regulations value, for the ceiling/wall structures separating the hereby approved unit from rooms uses in adjoining dwellings. This is namely in respect to the two HMO units adjacent to the approved unit at lower ground and two HMO units immediately above at ground floor level within 34 A and B and. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, and A4

of the London Borough of Camden Local Plan 2017.

- 6 Prior to the occupation of the hereby approved unit, the glazing panes adjacent to the proposed lightwell at ground floor level shall be obscured glazed and fixed shut as annotated on approved drawing 1608_01.002_PL4. The obscure glazing shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of the neighbouring occupiers in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the first occupation of the hereby approved unit, the cycle and refuse storage area facility shown on approved plans shall be provided in its entirety and permanently retained thereafter.

Reason: To ensure the development provides adequate facilities in accordance with the requirements of policy T1 and CC5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission. [Delegated]

The works would result in the loss of on-site parking but would not result in the loss of any internal HMO floorspace. The garages appear to have never been used due to their contrived access for vehicles and the conversion of this space is not considered to result in any strain for local parking or traffic conditions. The local area is not recorded as being at risk of flooding and so the creation of further habitable rooms at this level is not objectionable in principle.

The removal of the driveway and its relandscaping is considered to improve the appearance of the host property. The proposed side extension and store are considered acceptable in terms of scale and siting. In order to ensure that the detailed design of these elements remain appropriate a condition for full details is recommended. Subject to this condition the works are not considered to harm the character and appearance of the host property.

The proposed 1bed, 2person unit would remain in accordance with national space standards (GIA 52sqm). Although internal storage is not labelled, the layout would allow adequate provision to meet requirement (1.5sqm). Although the unit would be located below two GF HMO units, there would be no overlooking potential (subject to the conditioning of obscure glazing) and a condition for the installation of noise insulation would address noise concerns. The unit has been designed to feature a large amount of glazing as well as a lightwell to maximum natural light and provide outlook. The level of outlook from habitable rooms is considered acceptable given the scale of the unit.

Submitted reporting demonstrates that overall the proposed unit would be benefit from adequate levels of natural light despite its siting. It is noted that one window

would fall below BRE guidelines for ADF, however, as the primary habitable space would exceed the requirements this issue alone is not considered to result in an inadequate standard of accommodation or form a reason for refusal. Following a request to update calculations based upon a situation where the GF rooflight was obscured, confirmation was received that the levels of natural light would remain within BRE guideline levels even in this 'worst case scenario'.

The proposed works would result in a loss of 3.4sqm of external garden area to one GF HMO units (B) as well as necessitating the erection of a new garden wall and the installation of a section of obscured glazing to this unit. The 1 person studio GF unit which would be affected was vacant at the time of the site visit and it is not considered that these works would result in detrimental loss of residential amenity to any future occupant for this unit. Due to the scale and siting of the single storey side extension, alterations to levels and landscaping, it is not considered that the residential amenity of any other neighbouring occupiers would be harmed as a result of the development.

To ensure that the new unit would not contribute stress to the local CPZ, the decision is subject to a car free agreement. Covered storage is provided for 1 cycle to the private garden area. Although this is not step free, an access ramp would be provide to improve ease of access. Considering the site constraints, this provision would be considered the only viable option and the lack of step-free access is not considered objectionable in this instance. For those reasons outlined above, the lack of wheelchair accessibility is not objectionable in this instance.

No comments were received following the public consultation. The site's planning history has been taken into account. As such, the proposal is in accordance with policies H1, H10, C5, A1, A4, A5, D1, CC3 and T2 of the Camden Local Plan 2017. The work also accord with policies 1, 2 and 8 of the Fortune Green and West Hampstead Neighbourhood Plan (2015) as well as the London Plan 2016 and the NPPF 2012.

- 2 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 2410) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.
- 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).
- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's 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.

- 5 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 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.
- 7 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.
- 8 You are advised that this proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Generally all schemes involving an additional unit of residential accommodation will be liable for CIL payments. Where this is the case, the Mayor's CIL Charging Schedule is charged at a rate of £50 per sqm and the Camden CIL Charging Schedule at a rate of £500 per sqm.

The amount liable would be calculated based on the information submitted in your planning application. The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

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

David T. Joyce

David Joyce
Director of Regeneration and Planning