

Application ref: 2018/1387/P
Contact: Stuart Clapham
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Date: 4 June 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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M A King Plans
Flat 3
2A Theobalds Road
London
WC1X 8PN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
Basement
159 York Way
London
N7 9LN

Proposal:

Change of use of basement from ancillary retail use to 1x1-bed self contained flat with associated external alterations including demolition of rear external WC, installation of glazed timber doors to rear and replacement timber windows.

Drawing Nos: A0200 (includes Site Location Plan), A0205, A0235 (Rev. C), A0230 (Rev. C), Design and Access Statement.

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 and D2 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: A0200 (includes Site Location Plan), A0205, A0235 (Rev. C), A0230 (Rev. C), Design and Access Statement.

Reason:

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

Informative(s):

- 1 Reasons for granting permission.

The application would convert the basement storage area of the above A1 unit to a self-contained dwelling (C3). Considering that the basement is in poor condition and does not appear to be usable for its storage purpose, it is considered that its loss would not affect the viability of the above retail unit. It is therefore considered that the development would not harm the function, character or success of the Brecknock Road/York Way Neighbourhood Centre. Residential (C3) would be an appropriate and compatible use for a non-ground floor level of neighbourhood retail frontage.

The proposed basement flat would comfortably exceed the nationally described space standard for a 1 bedroom, 2 person flat, however the covered lightwell to the street elevation presents a significant constraint to achieving acceptable quality of amenity for future occupiers, as it prescribes a single aspect flat which prohibits outlook and access to ventilation to the north.

The original plans have been revised to address officer concerns around daylight and sunlight. Specifically, the window to the front lightwell and glazed doors to the rear terrace have been expanded to increase natural daylight. The revised proposal also includes a stepped expansion of the rear light well to the south elevation to increase the visible sky component, although this work is not considered to be significant enough to justify the need for a basement impact assessment.

In addition the flat has been reconfigured to locate the primary habitable rooms (living room and bedroom) at the south facing rear, with the bathroom and kitchen end of the living space located at the rear of the internal space. With these amendments in place the proposals are considered to achieve an acceptable quality of accommodation for a 2 person flat.

The conversion would not result in any significant impacts in terms of overlooking, privacy, shadowing, noise or artificial light pollution to neighbouring occupiers. The transport impacts of the new dwelling are acceptable subject to a s106 legal

agreement to secure the unit as car-free.

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

No responses were received to the consultation. The planning history of the site has also been taken into consideration.

As such, the proposed development is in general accordance with policies A1, D1, D2, H6, T2 and TC2 of the London Borough of Camden Local Plan 2017. The development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

- 2 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).
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, 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.
- 4 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

David T. Joyce

David Joyce
Director of Regeneration and Planning