

Application ref: 2017/6867/P
Contact: Kristina Smith
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Date: 7 November 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
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Eveleigh Designs
38 Northwood Road
London
N6 5TP

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
5 Elm Terrace
LONDON
NW3 2LL

Proposal:
Change of use from ancillary space to dental practice (D1) to a 3-bed self-contained flat (C3) at first and second floor levels
Drawing Nos: SV00; SV01; SV02; GA01; GA02

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

Condition(s) and Reason(s):

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

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: SV00; SV01; SV02; GA01; GA02

Reason:

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

Informative(s):

1 Reasons for granting permission.

The proposal would involve changing the use of several rooms ancillary to the use of the ground floor dentist practice into a 3-bed maisonette. The change of use would only involve the redundant ancillary rooms at first and second floor levels and retain the dentist surgery at ground floor level. The dentist spans across neighbouring properties at 1 and 3 Constantine Road so there is sufficient D1 floorspace to enable the dentist to continue being a viable community use. Self-contained housing is the Council's priority land use and furthermore, the unit would be 3-bed which is identified as very high priority by the Council's dwelling size priorities. The change of use from D1 to C3 is therefore acceptable.

The property would previously have been in use as a dwelling house and has undergone no alterations to plan form which enables a good standard of living accommodation to be provided. The unit would be compliant with space standards and would be dual aspect thereby receiving adequate daylight, outlook and natural ventilation. No external alterations are proposed as part of this application and therefore there are no design or heritage considerations.

The new unit would be car-free which would be subject to a section 106 legal agreement. Given the space constraints of the site, which directly abuts the public highway and has no rear garden, the lack of cycle parking provision is considered to be acceptable in this instance.

The proposal is considered to preserve the character and appearance of the conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. By virtue of the nature of the proposal, it is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies G1, A1, C2, H1, H6, T1, T2 and DM1 of the Camden Local Plan 2017. The proposed development also accords with the Hampstead Neighbourhood Plan London Plan 2016 and the National Planning Policy Framework.

- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross,

London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation.

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.

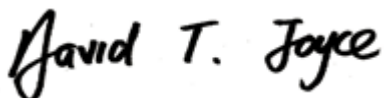
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for 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 paragraph 38 of the National Planning Policy Framework 2018.

You can find advice about your rights of appeal at:

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

Yours faithfully



David Joyce
Director of Regeneration and Planning