

Application ref: 2018/4601/P  
Contact: Obote Hope  
Tel: 020 7974 2555  
Date: 22 January 2019

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

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[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Re (Regional Enterprise) Ltd  
10th Flr Barnet House  
1255 High Road  
London  
N20 0EJ

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

#### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**1st And 2nd Floor Maisonette**  
**74 Fortune Green Road**  
**London**  
**NW6 1DS**

Proposal:

Infill of existing void at first and second floor level associated with sub-division of existing maisonette to form 3 x self-contained flats consisting of 2 x 1 bed and 1 x studio flats.  
Drawing Nos: M-100 REV2, M-101 REV2, M-102 REV2, M-103 REV2, M-104 REV2, M-105 REV2, M-106 REV2, M-107 REV2, M-108 REV2, HM Land Registry, Ordnance Survey map and Planning Statement commissioned by Regional Enterprise Development Consultancy Services dated 24th September 2018.

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 M-100 REV2, M-101 REV2, M-102 REV2, M-103 REV2, M-104 REV2, M-105 REV2, M-106 REV2, M-107 REV2 , M-108 REV2, HM Land Registry, Ordnance Survey map and Planning Statement commissioned by Regional Enterprise Development Consultancy Services dated 24th September 2018.

Reason:

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

- 3 Before the development commences, details of secure and covered cycle storage area for 3 x 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 T1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The infilling of the void at first and second floor combined would allow an additional 8.2sqm of internal floor space and is considered acceptable in terms of its impact on the appearance of the host building and surrounding area.

Policy H1 seeks to maximise the amount of new housing in the borough and regards self-contained housing as the priority land use of the Local Plan. The current application proposes the creation of three self-contained C3 units at the site, which is in accordance with the requirement of Policy H1.

Local Plan policy H7 (Large and small homes) and Policy 1 (Housing) of the Neighbourhood Plan expect developments to provide a range of housing types appropriate to the scale of the development, including a range of different unit sizes where appropriate. The proposal would provide 3 x units, consisting of 1x studios and 2x 1-bed flats, which are identified as lower priority unit sizes. However, Policy H7 allows for greater flexibility around dwelling sizes in the instance, in order to achieve a rational layout and to satisfy amenity concerns. Therefore, given the layout of the site, which is an existing building split over three floors, the proposed mix is considered most appropriate in this instance, as it would maximise the existing C3 space whilst providing a good standard of accommodation.

The possibility of creating a two bed flat was explored at second and third floor level however; it was considered to create an excessively large 2 bedroom unit with a floor area of approx. 94sqm. Policy H7 advises that the Council will take a flexible approach to assessing the mix of dwelling sizes and states that "we will expect proposals to include some dwellings that meet the high priorities wherever it is practical to do so."

Flat 1 at first floor would have an area of approximately 55sqm which exceeds the National Space Standards. Flat 2 (studio) would occupy a floor area of 37sqm, Flat 3 over two storeys would measure 57sqm, which is a negligible shortfall of 1sqm when compared with minimum standards. The rooms would comply with the DCLG nationally described space standards, and the units are considered to provide a good standard of accommodation in terms of daylight and sunlight and are therefore considered acceptable.

In between collections, waste will continue to be stored within the individual units. The kitchens have been designed to incorporate storage capacity for separated refuse and recycling - as required by CPG: Housing and CPG: Design CPG1 advises that studios/1-bed units are likely to produce 100ltrs of household waste per week in accordance with Figure 13 pursuant to Section 10 of CPG: Design. The proposal would include waste and recycling capacities for 55L green reusable box, 7L food waste caddy, and 100L waste bin for non-recyclables.

The council would normally expect cycle parking in new developments to be provided in accordance with the standards set out in the London Plan. For residential uses this gives a requirement for 1 space per bedroom, the proposal would provide 3 cycle storage spaces, details of which would be secured by condition.

- 2 In accordance with the policy T2 the application site would be secured as 'car-free' via a s106 legal agreement, which would restrict future occupiers from acquiring an on-street parking permit. This would help to relieve parking pressure and congestion in the surrounding area.

The proposals would not cause harm to neighbouring amenity in terms of loss of light, outlook or privacy.

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

As such, the proposed development is in general accordance with policies A1, D1, H1, H4, H7, T1 and T2 of the Camden Local Plan 2017. The proposal accords with the Fortune Green & West Hampstead Neighbourhood Plan 2015; London Plan 2016 and the National Planning Policy Framework 2018.

- 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.

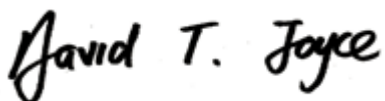
- 5 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 6 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

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

David Joyce  
Director of Regeneration and Planning