

Application ref: 2018/2421/P
Contact: Samir Benmbarek
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Date: 11 December 2018

Development Management
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Projection Architects Ltd
Flat 7
30 Gloucester Crescent
Primrose Hill
London
NW1 7DL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
78 Malden Road
London
NW5 4DA

Proposal: Amalgamation of existing a two-flat building (1x 6 bedroom; 1x 1 bedroom) into 1x 5 bedroom dwelling house together with single storey rear extension with terrace on upper ground floor level, demolition of existing stairs from upper ground floor to rear garden, enlargement of existing access to the existing terrace from the second floor landing and the construction of an outbuilding at the rear garden.

Drawing Nos: P.18.033: B-01B; A-01B; A-02B; A-03B; A-04B; A-05B; A-06B; A-07B; A-08B. Arboricultural Report, Tree Constraints Plan & Arboricultural Impact Assessment by Crawshaw Arborcare Ltd dated 06 July 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 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 and policy D3 of the Kentish Town Neighbourhood Plan (2016)

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

P.18.033: B-01B; A-01B; A-02B; A-03B; A-04B; A-05B; A-06B; A-07B; A-08B. Arboricultural Report, Tree Constraints Plan & Arboricultural Impact Assessment by Crawshaw Arborcare Ltd dated 06 July 2018.

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

- 4 Prior to the commencement of works to replace the rear garden outbuilding, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

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 policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The rear garden outbuilding hereby approved shall only be used for purposes incidental to the residential use of 78 Malden Road and shall not be used as an independent planning unit at any point.

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes, in accordance with policies G1, A1 and H6 of the London Borough of Camden Local Plan 2017

Informative(s):

- 1 Reasons for granting permission:

The proposal includes to combine the existing 1x bedroom lower ground floor level flat with the existing 6x bedroom flat on the upper floors to form a 1x 5 bedroom family sized dwelling house. The net loss of 1x residential unit is not contrary to policy H3 of the Camden Local Plan in which development is

resisted at a minimum of a loss of 2x homes. The proposal would create a larger dwelling house consisting of 5x bedrooms which helps bring larger homes within the borough.

The GIA of the proposed five-bedroom dwellinghouse is 227sqm which complies with the space standards for such within the London Plan. The space standards of the proposed bedrooms also comply. Overall, the quality of the proposed unit is considered acceptable including size, layout, access to amenity and natural ventilation.

At lower ground floor level, the proposed single-storey rear infill extension is subordinate to the host building in terms of its scale and location at the rear of the building. It would infill a portion of rear garden space and would not encroach further than the existing terminating depth of the building. The proposed extension would be constructed from stock brick (to match the existing building) and timber bi-folding doors.

At ground floor level, the roof of the extension would feature frosted glass rooflights and would be formed as an upper ground floor level terrace with metal railing which are considered appropriate in its design. Other works in association with the ground floor amenity terrace include the alteration of the rear ground floor window and side ground floor window to form access doors. These alterations are considered acceptable in this instance as there is no uniformity of the appearance along the rear elevation of the terrace of buildings of which the application building forms a part of. There are examples of altered windows and terraces at upper ground and first floor levels.

The rear staircase from upper ground floor level into the rear garden would be removed which is welcomed. The existing rear door and porch would be also be removed and bricked up with a new window installed. This alteration is considered appropriate and would not harm the character of the building or the wider terrace.

The proposed outbuilding is subordinate in its scale and located at the foot of the rear garden. It would be constructed of timber and would feature a similar detailed design than that of the existing outbuilding. Its orientation and position in the garden would result in a better use and layout of the rear garden.

- 2 The proposed amalgamation of the 2x residential units into a dwelling house would not impact upon the amenity of adjoining residential occupiers. The erection of the proposed extension and rear outbuilding are further considered to not adversely harm the amenity of adjoining residential by reason of its modest scale, and location at lower ground floor level, and at the rear of the garden in the case of the proposed outbuilding.

The proposal is not subject to a S106 legal agreement for the development to be car-free as it is considered that the amalgamation of the units into one property would not worsen the existing parking pressures and congestion within the area as there would be a reduction in the number of residential dwellings. Furthermore, due to the constraints of the site at front, it is not possible to provide suitable cycle parking that is secured and covered.

The scheme was assessed by the Council's Tree and Landscaping Officer who raises no objection to the scheme subject to a condition requesting further details on tree protection during the implementation of the development.

No objections were received prior to making this decision. The application site's history and relevant appeal decisions were taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving and enhancing the character and 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 (ERR) 2013.

Therefore, the proposed development is in general accordance with policies H3, H7, A1, A3, D1 and D2 of the London Borough of Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan (2016). The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

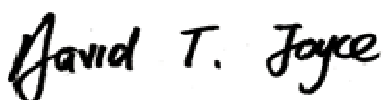
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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 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).

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