

Application ref: 2019/0725/P
Contact: Laura Hazelton
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Date: 16 April 2019

Development Management
Regeneration and Planning
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Ko Architects
Office 20 Network Business Centre
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Dear Sir/Madam

I DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
40-42 Mill Lane
London
NW6 1NR

Proposal:

Erection of new mansard roof extension to provide 1x1 bedroom flat and 1x Studio flat.
Drawing Nos: 480-A-21 rev A, 480-A-22 rev A, 480-A-23 rev A, 480-A-24 rev B, 480-A-25 rev B, 480-A-26 rev B, 480-A-33 rev A, 480-A-34, 480-A-35, 480-A-44, Design and Access Statement dated February 2019, Heritage Assessment dated February 2019 and location plan received 07/02/2019.

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 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 480-A-21 rev A, 480-A-22 rev A, 480-A-23 rev A, 480-A-24 rev B, 480-A-25 rev B, 480-A-26 rev B, 480-A-33 rev A, 480-A-34, 480-A-35, 480-A-44, Design and Access Statement dated February 2019, Heritage Assessment dated February 2019 and location plan received 07/02/2019.

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

- 4 Detailed drawings in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Plan, elevation and section drawings of new parapet and pediments at a scale of 1:10.

The new parapet and pediments shall be completed prior to occupation of any of the approved units in accordance with the details approved, and shall be permanently retained and maintained as such.

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 Camden Local Plan 2017 and Policies 2 and 3 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 5 Prior to occupation of the dwellings hereby approved, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policies CC1 and CC2 of the Camden Local Plan 2017.

- 6 Prior to occupation of the dwellings hereby approved, the cycle parking as shown on drawing numbered 480-A-35 shall be provided in its entirety, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the Camden Local Plan 2017 and policies 7 and 8 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

- 7 Prior to occupation of the dwellings hereby approved, the refuse store as shown on drawing numbered 480-A-35 shall be provided in its entirety, and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5 of the Camden Local Plan 2017 and policy 1 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

Informative(s):

- 1 Reasons for granting permission.

The creation of new housing (1 x 1 bedroom and 1 x studio unit) is supported as the Council seeks to maximise the supply of new housing in the borough and new residential floor space is a priority land use under policy H1. The creation of new residential flats at the site has already been established by the previous consent which approved the change of use of ancillary public house floorspace to 5 x residential flats (reference 2016/2661/P). The Officer's report noted that the use of the upper floors for residential accommodation was acceptable as these do not form part of the day to day running of the pub and were under-utilised space. This consent has been implemented and works have begun on site, and as such, is a material consideration. The introduction of two more flats at the site would not impact the viability of the retained public house at ground floor level.

Although the new flats would not be priority dwelling sizes (identified as 2 and 3 bedroom units), policy H7 recognises the need for dwellings of all sizes, and the introduction of two new dwellings is welcomed. Furthermore, a larger dwelling would not be considered appropriate in this location given the fact that there is no access to a garden or amenity space and the unit would be located above a pub. In this instance, smaller units suited to single a person or a couple are considered more appropriate. The creation of two new 1 bedroom units would result in a total of 5 x 1 bed units and 2 x 2 bed units at the site, equating to approximately 30% high priority dwelling sizes; however, for the reasons outlined above, this is considered acceptable in this instance.

Both flats would be dual aspect, and would measure 50.5sqm and 41.5sqm which meet the nationally described space standards for one bedroom units. The proposed units would provide a satisfactory standard of accommodation for future occupiers and they would both have an acceptable layout, ceiling heights, room sizes and provision of sunlight, daylight, ventilation and outlook.

The proposed roof extension is a traditionally detailed mansard roof which has been sensitively designed so as to avoid being overly large and overbearing. It features rooflights to the front, side and rear roof slopes which would be discreet, sitting flush with the roofslope, and are considered acceptable. The proposals also include the reinstatement of original features and detailing which are considered to enhance the external facades. These include the reinstatement of parapets, banisters, and window pediments, including the

original decorative front pediment. This is also aligned with the local Neighbourhood Plan which recommends that development should be sympathetic to the existing building. Given these improvements to the building, the proposals are considered to preserve and enhance the character and appearance of the host building and wider streetscene, in accordance with Policy D1 of the Local Plan and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan.

The proposed roof extension would not result in loss of outlook to neighbouring properties given its fairly shallow roofslope. The new rooflights would be upward-facing which would prevent direct views into neighbouring windows. Due to the nature of the external works, it is considered that the proposal would not result in any harm by way of a loss of light or outlook for neighbouring occupiers.

- 2 The site is located within a PTAL 4 Zone (good). The site is within walking distance to Kilburn Underground Station (Jubilee line), West Hampstead Underground Station (Jubilee line), West Hampstead Rail and Brondesbury Rail. There is currently no on-site parking. Two new cycle parking spaces would be included within the cycle store approved as part of the previous application which would meet London Plan standards. The cycle store would be secure, covered and accessible externally from Ravenshaw Street. The proposed Sheffield standards would be in accordance with the requirements of the Council's Transport CPG. As the new units would benefit from excellent public transport and be located within a town centre, they will be secured as car-free by Section 106 Legal Agreement. Waste collection for the A4 unit will be retained as per existing. Refuse storage and collection will be provided as per the previous approval, within the refuse store accessed directly from Ravenshaw Street.

One objection has been received which has been duly considered prior to making this decision. The pub landlord and the Fortune Green and West Hampstead Neighbourhood Forum have written in support of the application. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies G1, H1, H6, H7, C2, C4, A1, A4, D1, CC1, CC5, T1, T2, T4 of the Camden Local Plan 2017 and Policies 1, 2, 7, 12, and 14 of the Fortune Green & West Hampstead Neighbourhood Plan 2015. The proposed development also complies with the London Plan 2016 and National Planning Policy Framework 2019.

- 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 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.
- 6 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.
- 7 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.

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 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope
Chief Planning Officer