

Mr James Lloyd
JLA Limited
15 Teddington Business Park
Station Road
Teddington
TW11 9BQ

Application Ref: **2016/6714/P**
Please ask for: **Michael Cassidy**
Telephone: 020 7974 **5666**

2 June 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Prior approval subject to Section 106 Legal agreement

Address:
58 Mill Lane
London
NW6 1NJ

Proposal: Change of use at basement level from retail (Class A1) to provide 1 residential (Class C3) unit (1 x 3 bed), enlargement of existing front light well, single storey rear extension at lower ground floor level and installation of rear roof light at ground floor level and new double mansard to create additional bedroom to top floor flat.

Drawing Nos: ST_14_58MIL_003 - Existing Section - Revised; ST_14_58MIL_002 Rev F - Proposed Floor Plans - Revised; Section and Lifetime Homes Statement - Existing Drawing.PDF; ST_14_58MIL_001 Rev F - Existing and Proposed Plans Sections and Elevations - Revised; Design and Access Statement; and Supporting Planning Design and Access Information.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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 CS14 of the London Borough of Camden Local Development Framework Core Strategy, policy DP24 of the London Borough of Camden Local Development Framework Development Policies and policies C6 and D1 of the London Borough of Camden Draft Local Plan Submission Draft 2016.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans [ST_14_58MIL_001 Rev F Existing & Proposed Plans Sections & Elevations - Revised and ST_14_58MIL_002 Rev F - Proposed Floor Plans - Revised].

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

- 4 The roof of the single storey rear extension at lower ground floor level hereby approved shall not be used as a roof terrace or outside amenity space area, and any access out onto this area shall be for maintenance purposes only.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy, policy DP26 of the London Borough of Camden Local Development Framework Development Policies and policies D1 and A1 of the London Borough of Camden Draft Local Plan Submission Draft 2016.

- 5 Prior to commencement of the development, full details of the sustainable drainage system prioritising SUDS within the landscaping shall be submitted to and approved in writing by the local planning authority. Such a system should be designed to accommodate all storms up to and including a 1:100 year storm with a 30% provision for climate change, and shall demonstrate greenfield run off rates if feasible or as a minimum a 50% reduction in run off rate. Details shall include a lifetime maintenance plan, and shall thereafter be retained and maintained in accordance with the approved details.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy, policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies and policies CC1, CC3, CC4 and C1 of the London Borough of Camden Draft Local Plan Submission Draft 2016.

- 6 Before the development commences, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units 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 CS18 of the London Borough of Camden Local Development Framework Core Strategy, policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies and policies CC5, A1 and A4 of the London Borough of Camden Draft Local Plan Submission Draft 2016.

- 7 Prior to occupation of the development, evidence that the sustainable drainage system has been implemented in accordance with the approved details as part of the development shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy, policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies and policies CC1, CC3 and CC4 of the London Borough of Camden Draft Local Plan Submission Draft 2016.

- 8 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policy CS13 (Tackling climate change through promoting higher environmental standards) of the London Borough of Camden Local Development Framework Core Strategy, policies DP22 (Promoting sustainable design and construction) and DP23 (Water) of the London Borough of Camden Local Development Framework Development Policies and policies CC1 and CC3 of the London Borough of Camden Draft Local Plan Submission Draft 2016.

- 9 All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2).

Reason: To ensure that the internal layout of the buildings provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy, policy DP6 of the London Borough of Camden Local Development Framework Development Policies and policies H4 and H6 of the London Borough of Camden Draft Local Plan Submission Draft 2016.

Informatives:

- 1 The application site is located within a designated Neighbourhood Centre and is within walking distance of West End Lane and Kilburn High Road, which include a variety of convenience stores, speciality shops and local services. Within the Centre there are 39 Class A1 units which account for 61.5% of the total. This application would retain retail use (Class A1) at ground floor level with the basement floorspace only being lost to residential use. The loss of the existing vacant retail shop and basement/workshop areas has previously been accepted in the 2016 appeal (ref. 2014/7919/P) and the proposal would not reduce the overall percentage (61.5%) of retail uses within the centre. Retail use would still dominate and more than 50% of the total units within this parade would be retained for retail use and the development would not result in 3 or more consecutive units being in non-retail use in accordance with policy CS7, CPG5 and policy 13 of the Fortune Green and West Hampstead Neighbourhood Plan (FGWHNP) and policy G1 of the Local Plan Submission Draft 2016.

The application proposes a new 3-bedroom residential unit at lower ground floor level. The principle of additional residential floorspace within the Borough is strongly supported by Policies CS6 and DP2, which identify housing as the priority land use for the Borough and highlight the need to maximise the supply of housing. Policy 1: Housing of the FGWHNP further supports the provision of new 3-bedroom homes, where appropriate and suitable for families. The development proposes the re-use of an existing underutilised, part vacant brownfield site, making the best use of the Borough's limited land. This approach accords with the core principles of the NPPF, which encourages the re-use of previously developed land, and the principle of the redevelopment of the site for housing is supported fully complying with Council policy.

The 3 bedroom 5 person unit proposed would have a GIA of 86.89sq.m meeting both Camden's floorspace standards and the London Plan standards in terms of overall size and bedroom size. It would provide a good standard of accommodation for future occupiers with a satisfactory level of daylight, outlook, privacy and amenity space being provided in accordance with CPG2, policy 3.5 of the London Plan and policy 1 of the FGWHNP.

The proposal would involve the enlargement of the existing front lightwell and the erection of a single storey extension at lower ground floor level and a new mansard roof extension to the existing building. The proposed front lightwell would be similar in size and appearance to those existing at Nos. 62 and 66 Mill Lane and would sit comfortably within the streetscene.

The proposed single storey flat roofed rear extension would involve rebuilding the existing workshop and infilling part of the existing lower ground floor courtyard area. The remaining part of the courtyard would create a garden amenity space area adjacent to the existing boundary with Nos.60-62 Mill Lane for the proposed flat. The extension would be similar in height to the existing single storey extension at No.56 Mill Lane and the workshop building on the site and would extend it northwards. It would not be widely visible from neighbouring residential properties

or the wider public realm and would be built in brick and materials to match the existing building. Its design and appearance would sit comfortably with the host building and neighbouring properties and it would remain subservient in scale.

There are a number of examples of mansard roof extensions within the streetscene, such as at Nos. 56, 66 and 68 Mill Lane. The proposed mansard roof extension would be similar in scale and design to these and set back from the front parapet making it largely invisible in long and short views along Mill Lane. The building up of the side parapet walls, required in the creation of the mansard extension, would visually match the height of the neighbouring building, No.58 Mill Lane, and it would not appear as an overly dominant feature within the streetscene.

The scale and design of the proposed extensions and alterations would sit comfortably with the host property and neighbouring properties and would respect its architectural style and appearance in accordance with the design guidance set out in CPG1, policies CS14 and DP24 of the LDF and policy 2: Design and Character of the FGWHNP.

In terms of residential amenity, the closest residential units to the site are to the west at No.56 Mill Lane, to the east at No.60-62 Mill Lane, to the south at No.3 Dornfell Street and directly above at No.58 Mill Lane. Early, given the proposed siting and design of the lightwell and the mansard roof extension and their distance from the nearest neighbouring residential properties in Mill Lane and Dornfell Street, the proposal would have no adverse impact on the amenities of adjoining occupiers in terms of access to sunlight, daylight, outlook, sense of enclosure, noise and disturbance or privacy. As such, the proposal would be in accordance with policies CS5 and DP26.

The site has a Public Transport Accessibility Level of 4 (good). There are no existing or proposed parking spaces for No.58 Mill Lane. There are, however, pay and display car parking spaces along the parade. In line with policy DP18, the proposed new residential unit would be designated as car free so that future occupants will be unable to obtain on-street parking permits from the Council. This would be secured by means of a Section 106 legal agreement.

The proposals include relatively modest construction works and there is considered to be ample space within and around the site to contain the construction materials and site requirements (such as on the highway with the agreement of parking services and highways). It is therefore not considered necessary to secure a Construction Management Plan for the development.

The floor level to the existing basement area is to be lowered to provide an increased ceiling height of 2.74 metres. This would include the undercroft, formerly used as a coal hole, and would involve lowering the floor slab level of the existing rear workshop area by 200mm. The surrounding brick party walls are to be underpinned accordingly. The principle of lowering the basement area has previously been considered acceptable under planning application 2014/7919/P and no objection is raised to this element. The proposed slab to the lower ground floor area is a raft slab that will obviate the need for trench foundations along the rear boundaries and allow the slab to be cast from within the existing premises,

minimising disruption to neighbouring occupiers.

A site notice was displayed. One objection has been received prior to making this decision which together with the site's planning history was taken into account in coming to this decision.

As such, the proposed development is in general accordance with policies CS5, CS6, CS7 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, policies DP2, DP18, DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies, policies 1, 2 and 13 of the Fortune Green and West Hampstead Neighbourhood Plan and policies A1, D1, D2, H1, H6 and T2 of the London Borough of Camden Draft Local Plan Submission Draft 2016. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (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 Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

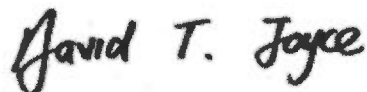
- 5 The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.

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 Joyce
Director of Regeneration and Planning