

Application ref: 2019/0658/P  
Contact: Samir Benmbarek  
Tel: 020 7974 2534  
Date: 5 July 2019

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

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[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
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Projection Architects Ltd  
Flat 7  
30 Gloucester Crescent  
London  
NW1 7DL

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:

**78 Malden Road  
London  
NW5 4DA**

Proposal:

Conversion of existing two-flat building into 1x 2bedroom flat; 1x 1bedroom flat and 1x 3bedroom flat; erection of single storey rear extension at ground floor level; formation of amenity terrace at upper ground floor level; alterations and replacements to existing windows and front entrance door and erection of single storey rear outbuilding  
Drawing Nos: P-18.064: A-01; A-02; A-03; A-04; A-05; A-06; A-07; A-08; A-09; A-10; A-11; A-12. B-01. Design and Access Statement dated 28th January 2019 by Projection Architects; Daylight and Sunlight Assessment dated 22 February 2019 by Anderson Wilde and Harris; Arboricultural Report, Tree Constraints Plan & Arboricultural Impact Assessment dated 6th July 2018 by Crawshaw Arborcate Ltd.

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: P-18.064: A-01; A-02; A-03; A-04; A-05; A-06; A-07; A-08; A-09; A-10; A-11; A-12. B-01; Design and Access Statement dated 28th January 2019 by Projection Architects; Daylight and Sunlight Assessment dated 22 February 2019 by Anderson Wilde and Harris; Arboricultural Report, Tree Constraints Plan & Arboricultural Impact Assessment dated 6th July 2018 by Crawshaw Arborcate Ltd.

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

- 4 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 5 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

Details including sections at 1:10 of all replacement windows and the replacement front door

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

- 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 CC5 and A1 of the London Borough of Camden Local Plan 2017.

7 Prior to first occupation, the following bicycle parking shall be provided:

- secure and covered parking for at least 5 resident's bicycles

All such facilities shall thereafter be retained and accessible in perpetuity.

Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with Camden Local Plan policies T1 and T2, the London Plan and CPG Transport.

8 Prior to commencement of development , full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include

- a detailed scheme of maintenance
- sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used [for large areas of green roof add in : and showing a variation of substrate depth with peaks and troughs]
- full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

9 Prior to the commencement of any works on site, 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.

Informative(s):

1 Reasons for granting permission:

The proposal seeks to convert the existing two-flat building into a three-flat building, consisting of 1x 1bedroom flat; 1x 2bedroom flat and 1x 3bedroom flat. The proposed conversion is considered acceptable in policy terms as it assists the Council to maximise the supply of additional homes in the borough

and would result new units. The proposed dwelling mix consists of majority high priority market housing (2 and 3 bed) and complies with policy H7 of the Camden Local Plan.

The proposed 2 bedroom flat (lower ground floor level), 1 bedroom flat (upper ground floor level) and 3 bedroom flat (first and second floor level) would have a GIA of 61.4sqm, 40sqm and 100.5sqm respectively. These proposed internal floor areas comply with the national technical space standards for dwellings. The proposed bedroom sizes also comply with guidance. Overall, the converted dwellings are considered to have an acceptable layout with access to light, natural ventilation and outlook with the units being dual aspect.

All new build or converted dwellings are required to achieve 100L per person, per day (including 5 litres for external water usage). This is secured by condition.

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 not encroach further than the existing depth of the building. The proposed extension would be constructed from stock brick (to match the existing building) and timber bi-folding doors.

At upper ground floor level, the roof of the proposed rear extension would be formed as an amenity terrace with metal railings that are considered appropriate in appearance. Other works in association with the upper ground floor amenity terrace include the alteration of the rear upper 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 in the prevailing pattern of development.

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 also be removed and bricked up with new windows installed as well as alterations to the window opening at lower ground floor level. These alterations are considered appropriate and would not harm the character of the building or the wider terrace.

The remaining rear windows that would not be altered, would be replaced as would the front windows and the front door. These alterations are considered appropriate. A condition is attached to secure further details of the replacement windows. This is to ensure the character and appearance of the application building and wider conservation area is maintained.

The proposed outbuilding is subordinate in its scale and location at the foot of the rear garden. It would be constructed of timber cladding and feature a similar detailed design to 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 conversion of the building into 3x flats 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 occupiers by reason of the modest scale and location at lower ground floor level, and at the rear of the garden in the case of the proposed outbuilding.

The proposed rear extension is less than 100sqm and in conjunction with a residential conversion where the existing is already in residential use. Therefore, an affordable housing contribution is not required in this instance.

The site falls within the West Kentish Town Controlled Parking Zone (CPZ) and as per the requirements of policy T2 of the Camden Local Plan, this decision is subject to a car-free legal agreement to ensure that future occupants of the development are aware that they are not entitled to on-street parking permits. Policy T2 seeks to ensure car-free developments across the borough.

5x cycle spaces are provided in accordance with policy T1 of the Camden Local Plan and CPG Transport. These are secured by planning condition.

A condition is attached to secure details of refuse and recycling for the proposed dwellings. This is to ensure that there is a sufficient provision of waste storage.

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

One objection was received prior to making this decision. The application site's planning 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 H3, H7, A1, A3, D1, D2, T1 and T2 of the London Borough of Camden Local Plan 2017. The proposed development is also in accordance with the London Plan 2016 and the 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.

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

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

Daniel Pope  
Chief Planning Officer