

Application ref: 2019/2035/P
Contact: Kristina Smith
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Date: 22 October 2019

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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:

**72 Cricklewood Broadway
London
NW2 3EP**

Proposal:

Variations to Conditions 2 (approved plans) and 4 (cycle storage) of planning permission ref. 2017/6363/P (dated 5.6.18) for Change of use of approx.30sqm of retail (A1) floorspace to rear of shop into residential (C3), erection of single storey rear/side extension at ground floor level and conversion of existing maisonette at second and third floor levels in association with creation of 3 units (2x2-bed; 1x1-bed) (C3), namely to extend depth of rear extension and relocate cycle parking (retrospective)

Drawing Nos: Additional Drawings: 72CB/OSD; 72CB/02D; 72CB/04D; 72CB/05D; 72CB/06D; 72CB/07D; 72CB/08D

Superseded: 72CB/OSB; 72CB/02B; 72CB/03B; 72CB/04B; 72CB/05B; 72CB/06B; 72CB/07C

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 the original planning permission ref. 2017/6363/P (dated 05/06/2018).

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 if in CA] of the London Borough of Camden Local Plan 2017.

- 3 For the purposes of this decision, condition no.3 of planning permission 2017/6363/P (dated 5.6.18) shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans: 72CB/OSD; 72CB/02D; 72CB/04D; 72CB/05D; 72CB/06D; 72CB/07D; 72CB/08D; 72CB/01B

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

- 4 For the purposes of this decision, condition no.4 of planning permission 2017/6363/P (dated 5.6.18) shall be replaced with the following condition:

REPLACEMENT CONDITION 4

The secure and covered storage facility for 5 cycles (as shown on drawing no. 72CB/07D) shall be provided in its entirety within one month of this decision.

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 and policy 8 of the Fortune Green West Hampstead Neighbourhood Plan 2015.

Informative(s):

- 1 Reasons for granting

The application seeks permission for an enlarged extension compared to what was initially consented. Whilst the extension is of a larger scale than what would be typically supported and does not demonstrate the level of design quality usually expected, the pre-existing situation was an entirely covered rear yard that was of a greater scale in terms of depth, height and width. The structure was also constructed using poor quality materials that had weathered badly and as such, appeared unsightly. Most of the rear yard areas along this side of Cricklewood Broadway have been entirely infilled in association with the

commercial use at ground floor level although it appears there is a residential unit in the rear yard of no.68 next door. There are no design reasons as to why the scale and bulk is less appropriate for residential use in this location than it is for commercial use.

Some of the garden space has been lost for the ground / first floor unit and for the two units at upper floors entirely; however, this is common to other residential units at upper floor levels along Cricklewood Broadway that have no access to garden space due to the rear yards being infilled. The loss of amenity space is therefore not considered sufficient reason to not support the application.

The cycle parking for the two upper floor units would be relocated adjacent to an entrance gate accessed from Ebbsfleet Road in the demise of the application site, whilst the cycle storage for the unit at ground floor level would be in the courtyard. Both would be covered, secure and accessible and as such, acceptable.

Given the existing high boundary walls, the enlarged extension would not cause any adverse impacts on the amenity of adjoining residential occupiers.

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

As such, the proposed development is in general accordance with policies A1, T1, T2, D1 and D2 of the Camden Local Plan 2017 policies 1, 2 and 8 of the Fortune Green West Hampstead Neighbourhood Plan 2015. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

- 2 Your attention is drawn to the fact that there is a separate Deed of Variation 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



Daniel Pope

Chief Planning Officer