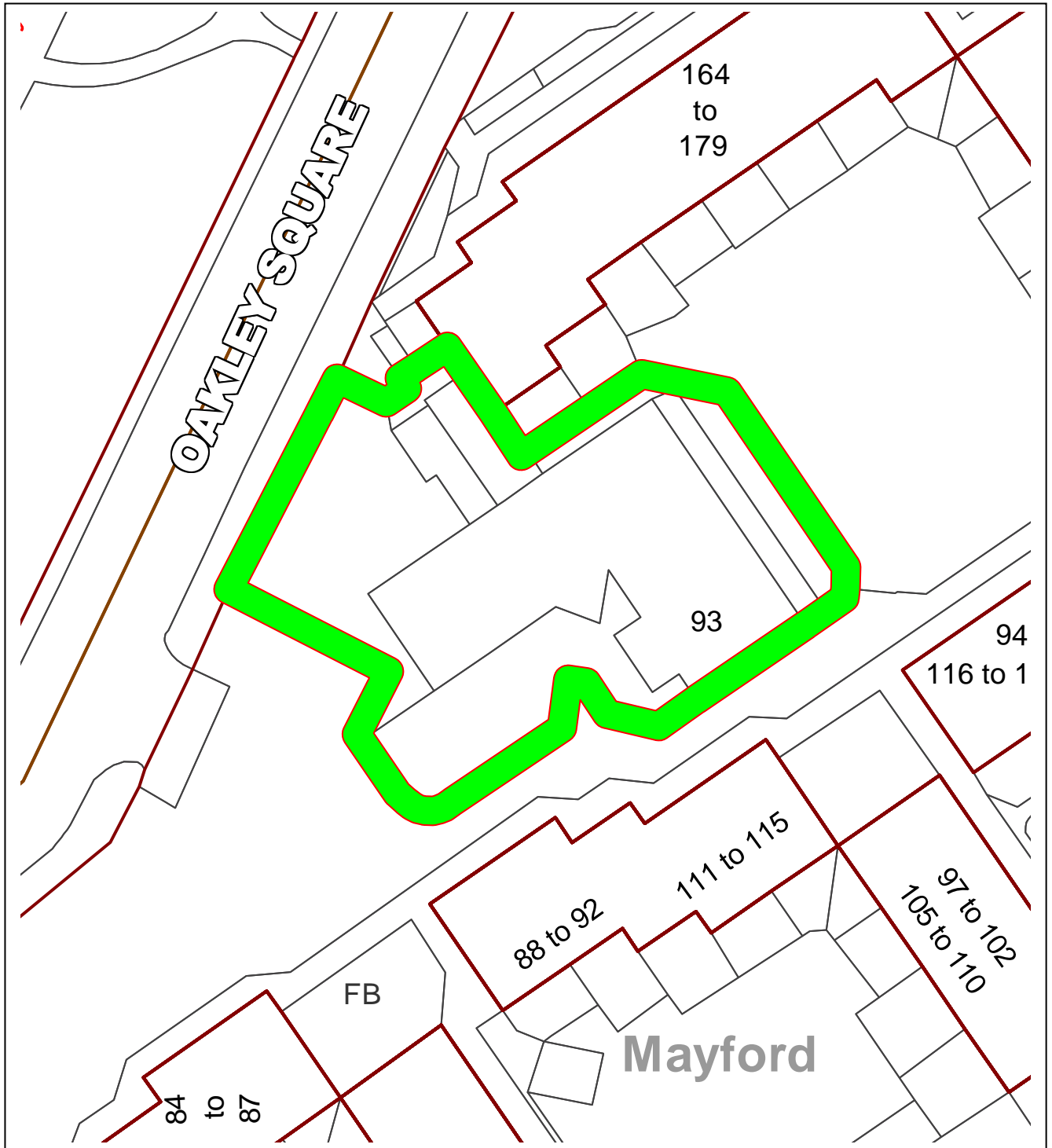


93 Mayford, Oakley Square NW1 1NY ref.  
2019/4444/P



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## Photos



Above: View from Oakley Square



Above: Aerial view

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>28/10/2019</b>	
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>		<b>30/09/2019</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Kate Henry				2019/4444/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
93 Mayford Oakley Square London NW1 1NY				Please refer to draft decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Change of use of building from day centre (Class D1) to residential care home (Class C2) to accommodate 5 adults (plus staff); single storey extension to south-western elevation; infill extension adjacent to main entrance; alterations to openings; associated landscaping							
<b>Recommendation(s):</b>		Grant conditional planning permission					
<b>Application Type:</b>		Full Planning Permission					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	15	No. of objections	15
Summary of consultation responses:	Site notices were displayed around the site on 06/09/2019 (expiry 30/09/2019).					
	Objections have been received from the following 15 local addresses:  18 Mayford 21 Mayford 57 Mayford 66 Mayford 68 Mayford (x2) 89 Mayford 90 Mayford 122 Mayford 160 Mayford 166 Mayford 168 Mayford 171 Mayford 176 Mayford 180 Mayford Mayford resident (unspecified address)					
	The objections are summarised as follows: <ul style="list-style-type: none"><li>Noise and screaming from day centre, no extra consideration for sound proofing other than double-glazing and thermal insulation.</li><li>Concern about change of use from day centre to full time residence (continuous impact as opposed to during limited hours)</li><li>There are screams and noise from the existing care home and the proposed use will be noisy 24/7 rather than stopping at 3.30pm.</li><li>The road is noisy and will cause stress for residents with sensory issues</li><li>Estate has a crime issue, not a good place for vulnerable people</li><li>Inappropriate use of the building on a residential estate</li><li>Overlooking into neighbouring properties' windows / loss of privacy</li><li>Parking space is close to neighbouring properties</li><li>Raising day care fences onto communal garden is not acceptable.</li><li>Using green space that has been there for 48 years.</li><li>The bins stored outside will attract vermin</li><li>Noise pollution from air unit on the roof</li><li>Loss of TRA meeting space will further inhibit the estate's ability to develop a sense of community.</li><li>A better use would be to use the building for residents of Mayford and neighbouring estates</li><li>Not enough green renewable energy in design</li><li>The Council as a housing provider is not acting in the spirit of a reasonable landlord in discharging its duty to provide safe, quiet and peaceful enjoyment of our homes.</li></ul>					

	<ul style="list-style-type: none"> <li>• Noise from care home will trigger severe anxiety and PTSD in an existing Mayford resident.</li> <li>• Safety risks to Mayford residents</li> <li>• Radiation / chemical exposure from the plant room</li> </ul> <p><b>Officer response:</b></p> <p><i>Please refer to sections 4 (The principle of development / land use), 5 (Quality of living environment) and 8 (Impact on neighbouring land uses) of the Officer's Report below, which address most of the issues above.</i></p> <p><i>Whilst alternative uses for the building have been suggested, each application must be assessed on its merits and it is the Local Planning Authority's role to consider the use that is proposed.</i></p> <p><i>Whilst the proposals do not incorporate green renewable energy in the design, this is not a sufficient reason to refuse the application.</i></p> <p><i>Concerns have been raised about radiation and chemical exposure from the plant room; however, the applicant has confirmed that the plant room will be domestic in nature. As such, there is no risk from radiation of chemical exposure.</i></p>
<b>CAAC/Local groups comments:</b>	None received.

## Site Description

The application site is 93 Mayford, a single storey building within the Mayford Estate, originally designed as a children's home but most recently used as a day centre for adults with learning difficulties (Use Class D1). The building has an area of parking to the front (south) and at the rear (north-east), the building backs onto a communal grassed area at the centre of higher rise buildings. The application building has a small, enclosed garden to the west, there is a small yard to the north of the building and there is another small area of outdoor space at the rear, which backs onto the communal space.

The application building is not listed nor within a conservation area.

## Relevant History

**2005/4718/P:** Conversion of an existing window to a combined window and door opening. **Granted 13/01/2006.**

**9140007:** Erection of a conservatory extension to special needs unit for mentally handicapped clients. **Granted 18/06/1991.**

**34549:** The change of use from a Children's Home to a Special Needs Unit for multiply-handicapped young people. **Granted 15/09/1982.**

## Relevant policies

### National Planning Policy Framework (2019)

### London Plan (2016)

### Draft New London Plan (2019)

### Camden Local Plan (2017)

H1 Maximising housing supply

H6 Housing choice and mix

H8 Housing for older people, homeless people and vulnerable people

C1 Health and wellbeing

C2 Community facilities

C5 Safety and security

C6 Access for all

A1 Managing the impact of development

A4 Noise and vibration

D1 Design

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

### Camden Planning Guidance

CPG Design (2019)

CPG Amenity (2018)

CPG Community uses, leisure and pubs (2018)

CPG Transport (2019)

### 1. The proposal

#### 1.1. Planning permission is sought for the following:

- Change of use from a day centre (Class D1) to a residential care home (Class C2) to accommodate 5 adults (plus staff)
- Single storey extension on south-western elevation
- Infill extension adjacent to main entrance
- Alterations to openings
- Associated landscaping works

1.2. The proposed single storey extension on the south-western elevation would replace an existing conservatory in the same location. Whereas the existing conservatory extends out from the host building by between 2.1 and 3.1 metres and measures 8.3 metres wide, the replacement extension would have the same width (8.3 metres), but would extend out from the building by 3.9 metres for its entire length. The existing conservatory has a sloping roof, whereas the proposed replacement extension would have a flat roof with 2 rooflights.

1.3. The infill extension to the right hand side of the main entrance would involve the construction of a wall in the 1 metre gap between the projecting part of the entrance and the main front wall. This would create an additional 9sqm of space internally.

1.4. A new external canopy would be installed above the main entrance, with a depth of 1.2 metres. The existing door would be replaced, with a small window to the side.

1.5. On the south-western elevation (i.e. facing the driveway), the new extension would feature concertina doors opening onto the private garden. On the most western part of the building one of the doors would be altered to a window (to serve the main kitchen) and on the part of the building to the right hand side of the main entrance, one of the doors would be altered to a window (to serve a bedroom).

1.6. On the north-western elevation (i.e. facing towards Oakley Square), at the southern end of the building a new door would be created to access the private garden and at the northern end of the building a new window would be created to serve a WC.

1.7. On the north-eastern elevation (i.e. facing the communal garden), an existing door would be altered to a window (to serve the secondary seating area) and on the part of the building closest to the communal garden, the westernmost door would be altered to a window, new double doors would be installed to serve the boiler room, and another of the doors would be altered to a window. Rather than there being 4 door openings and 4 small windows, this elevation would feature 2 doors to access the building (one to the sensory room and one to the manager's office), double doors to the boiler room and 3 windows.

1.8. On the south-eastern elevation (i.e. facing into the estate), on the easternmost part of the building, one window would be removed and on the part of the building to the left hand side of the main entrance, the existing window would be removed and a larger window would be installed closer to the main entrance.

1.9. On the roof, 3 existing rooflights would be removed from the western projecting part of the building; two new rooflights would be inserted on the flat roof along the centre of the building; and on the northernmost part of the building, 4 existing rooflights would be removed and 3 new

ones would be installed, all on the southern facing roofslope.

1.10. A number of service flues would also be installed at roof level and the plans indicate a ventilation unit; however, no details of proposed plant have been provided. A suitable condition (condition no. 6) is therefore suggested to alert the applicant to the fact they will need to apply separately for any external plant that will emit noise.

1.11. Additional landscaping would be provided around the edges of the building. New 1.8 metre close board fencing would be provided to the north-east (on the boundary between the application site and the Mayford Estate communal grassed area). Between the private patios 1.5 metre close board fencing topped with a 300mm trellis would be used. The plans also indicate tree planting in the main communal garden, the creation of a sensory garden adjacent to the new extension and new landscaping to the front of the building.

1.12. Cycle parking and bin storage would also be provided to the front of the building.

## **2. Revisions**

2.1. The following revisions have been made during the course of the application:

- Omission of minibus parking space (additional landscaping instead)
- Relocation of cycle parking to other side of driveway
- Alterations to private amenity space for bedroom 02 and landscaping adjacent to driveway

2.2. Due to the nature of the revisions it was not considered to be necessary to formally re-consult on the proposals. The cycle parking and the landscaping will be subject to further agreement by condition.

## **3. Planning considerations**

3.1. The principal considerations material to the determination of this application are summarised as follows:

- The principle of development / land use (including affordable housing requirement)
- Quality of living accommodation
- Impact on the character and appearance of the host building and the wider area
- Trees and landscaping
- Impact on neighbouring land uses
- Transport impacts

## **4. The principle of development / land use (including affordable housing requirement)**

4.1. Policy H1 covers all forms of housing where people live long-term, including care homes; the policy seeks to maximise the supply of housing in the borough. The proposal complies with this policy insofar as it is providing additional long-term housing in the borough.

4.2. Policy H6 relates to housing choice and mix and seeks a range of housing types suitable for households and individuals with different needs. The policy aims to minimise social polarisation and create mixed, inclusive and sustainable communities by seeking high quality accessible homes and by seeking a variety of housing suitable for Camden's existing and future households, having regard to household type, size, income and any particular housing



needs. The proposal complies with this policy insofar as the building has been designed to cater for residents with specific identified needs (namely differing levels of physical and learning difficulties) and the proposal would minimise social polarisation and create a mixed, inclusive and sustainable community due to the application site's location within the existing housing estate.

4.3. Policy H8 relates to all housing designated for occupation by vulnerable people who need support to enable them to live safely, “*supported housing*”. The policy aims to ensure that there is a sufficient supply of appropriate housing available for older people, homeless people and vulnerable people to live as independently as possible. Policy H8 notes that the Council will support development of a variety of housing aimed at meeting the specific needs of older people and vulnerable people provided that the development:

- a) is needed to meet a demonstrable need within the borough and will be targeted at borough residents;*
- b) will be suitable for the intended occupiers in terms of the standard of facilities, the level of independence, and the provision of support and/or care;*
- c) will be accessible to public transport, shops, services, community facilities and social networks appropriate to the needs of the intended occupiers;*
- d) contributes to creating a mixed, inclusive and sustainable community; and*
- e) does not cause harm to nearby residential amenity.*

4.4. In this case, the proposal would cater for 5 identified adults who already live in the borough and the building has been specially designed with their specific needs in mind. The Design & Access Statement notes that the proposal seeks to provide generous communal spaces and seeks to create a high-quality home for its residents rather than replicate an institutional environment. Furthermore, the building is in a sustainable location with easy access to public transport, shops, services and community facilities etc. and, as noted above, the proposal would contribute towards creating a mixed, inclusive and sustainable community within the Mayford Estate. (The impact on nearby residential amenity will be assessed later in this report)

4.5. Policy C1 seeks to improve and promote strong, vibrant and healthy communities through ensuring a high quality environment with local services to support health, social and cultural wellbeing and reduce inequalities. The policy notes that the Council will support the provision of new or improved health facilities, in line with Camden's Clinical Commissioning Group and NHS England requirements. The application is accompanied by a letter from Camden's Clinical Commissioning Group which states the following:

*“The provision of additional supported living accommodation for people with learning disabilities on the Mayford Estate NW1 will significantly increase the quality and quantity of such accommodation-based support for some of Camden's most vulnerable residents. Supported living is a vital housing option for people with learning disabilities, improves health, wellbeing and independence and enables people to live in the community, accessing the same rights and responsibilities as other citizens. A recent review of all the properties available for the provision of supported living in the borough found a significant lack of ground floor, wheelchair accessible accommodation and a shortage of properties that are suitable for people with autism alongside their learning disabilities. This can result in people being accommodated and supported in locations outside of Camden, at significant distance from their families and communities, and to the detriment of their relationships and wellbeing. We therefore wholly support the development of such additional capacity on the Mayford Estate NW1, and look forward to its completion. The proposals have been discussed with people with learning disabilities and their families, who actively welcome this development”.*

4.6. On this basis of the above, the proposal complies with Policy C1.

4.7. Policy C2 relates to community facilities and includes healthcare facilities. The policy notes that the Council will work with its partners to ensure that community facilities and services are

developed and modernised to meet the changing needs of our community and reflect new approaches to the delivery of services. The policy also notes that the Council will ensure existing community facilities are retained recognising their benefit to the community, including protected groups, unless one of the following tests is met:

- i) a replacement facility of a similar nature is provided that meets the needs of the local population or its current, or intended, users;*
- ii) the existing premises are no longer required or viable in their existing use and there is no alternative community use capable of meeting the needs of the local area. Where it has been demonstrated to the Council's satisfaction there is no reasonable prospect of a community use, then our preferred alternative will be the maximum viable amount of affordable housing;*

- 4.8. In this case, the letter from Camden's Clinical Commissioning Group notes that the building became vacant in January 2019 because the day centre facilities were re-provided at the new Greenwood Centre in Kentish Town. As such, there is no adverse impact on existing healthcare facilities and the proposal complies with Policy C2.
- 4.9. It is understood that the building has been used by the Mayford Tenants and Residents Association (TRA) for meetings in the past. The letter from Camden's Clinical Commissioning Group notes that due to the restricted nature of the proposed use and the fact the building would be people's home, it would not be appropriate to include TRA meeting and office space in the proposals, particularly if the building is to be used to its maximum potential. The letter also notes that Camden's Tenant Participation Team are supporting Mayford TRA to identify and fund a suitable alternative meeting space, including exploring options of sharing space with another local TRA.
- 4.10. On the basis that it is not feasible to accommodate the TRA's requirements in the proposals (due to the incompatibility of the two uses) and taking into consideration the fact that the primary use of the building was as a day centre and the use by the TRA was an informal, ad hoc arrangement, it is considered that the proposal complies with the aims of Policy C2.
- 4.11. It is recognised that any alternative venue for the TRA to use will not be in such a good location for estate residents, which will impact on residents' abilities to participate in the TRA; however, the harm to TRA members does not outweigh the identified benefits of the proposed scheme, namely the provision of long-term housing for individuals with specific identified needs; minimising social polarisation and creating a mixed, inclusive and sustainable community; and supporting the provision of improved healthcare facilities in line with Camden's Clinical Commissioning Group requirements.
- 4.12. Currently, it is possible to change from Use Class C2 (residential institutions) to use as a state-funded school or a registered nursery under permitted development rights (with prior approval). A suitable condition (condition no. 8) is suggested to ensure that the premises is used only as a residential care home and for no other alternative use. This is because an alternative use would be likely to raise other issues (e.g. impacts on neighbours) which need properly assessing as part of a formal planning application.
- 4.13. The principle of development is considered to be acceptable, subject to the detailed considerations below.

#### Affordable housing requirement

- 4.14. Policy H4 aims to maximise the supply of affordable housing in the borough and expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. The accompanying text in the Local Plan specifically notes that Policy H4 also applies to housing for vulnerable people (such as in Use Class C2). However, the policy itself notes that, in considering whether affordable housing should be sought, the Council will take into account

factors such as the character of the development, the site and the area; the impact on the creation of mixed, inclusive and sustainable communities; and the economics and financial viability of the development.

- 4.15. In this case, the residential care home will be operated by the Council and will provide a form of housing to existing Camden residents. Furthermore, as noted above, the proposals contribute to the creation of a mixed, inclusive and sustainable community. On this basis it is not considered necessary to require a contribution towards affordable housing. However, if an application was submitted in the future to change the use of the premises to residential (Use Class C3) then a contribution towards affordable housing would be sought at that time, in line with policy.

## **5. Quality of living accommodation**

- 5.1. Policy H8 requires that supported housing is suitable for the intended occupiers in terms of the standard of facilities, the level of independence, and the provision of support and/or care; Policy C5 requires developers to demonstrate that they have incorporated design principles which contribute to community safety and security; and Policy C6 expects all buildings and places to meet the highest practicable standards of accessible and inclusive design so they can be used safely, easily and with dignity by all.
- 5.2. The Mayor's Housing SPG advises that the nationally described space standard and the optional Building Regulations do not apply to specialist forms of housing such as student housing and care homes; however, the space needed for furniture, activity and movement should be considered when designing all forms of housing.
- 5.3. The Design & Access Statement notes that the brief from LB Camden's Adult Social Care team was to convert the building into a residential unit for 5 identified adults with differing levels of physical and learning difficulties; and for the design to be future-proofed so that it can accommodate the changing needs of residents in the future.
- 5.4. The proposals provide the following: 5x double bedrooms with en-suite shower rooms; communal living, kitchen and dining spaces; office space for a support worker; sleeping space with en-suite facilities for a support worker; an assisted bathroom, laundry, plant room, outside amenity space, space for a minibus to pick up and drop off residents.
- 5.5. The Design & Access Statement notes that the care home has been designed so that all spaces are accessible and adaptable as Building Regulations M4(2) as a minimum. Moreover, all of the entrances, communal spaces and four of the bedrooms will be suitable for occupation by a wheelchair user or easily adaptable for occupation by a wheelchair user in accordance with Building Regulations M4(3).
- 5.6. The Design & Access Statement also refers to the publication '*Living In The Community, Housing Design For Adults With Autism*', by Andrew Brand, noting that this document has informed the design. For example, generous room sizes but of domestic scale and proportion; larger communal spaces to allow for greater personal space; smaller spaces to which people can withdraw if they desire; a simple layout to avoid confusion; wide circulation spaces; more than one exit from communal spaces to give residents choice and help staff to manage challenging behaviour etc.
- 5.7. The proposed layout is considered to represent a good use of the space. There is communal space in the centre of the building and all the bedrooms lead off the communal area, rather than being accessed via corridors; the dining area opens out onto the private garden and the adjacent kitchen would have a window onto the garden, which represents a pleasant outlook. All of the bedrooms have doors to the outside and private outdoor amenity space and the dedicated staff sleeping room leads off the main reception area, which is in the centre of the building with views of the entrance.
- 5.8. Concerns have been raised about whether the Mayford Estate is suitable for a residential care

home such as this, due to the noisy adjacent road (which may cause sensory issues for residents) and crime issues on the estate. The 5 intended occupiers have already been chosen and the Council's Adult Social Care team are aware of the wider environment and the individual needs of the intended residents. Furthermore, the 5 individuals will be assisted by a carer which should minimise the likelihood of them being victims of crime in the estate.

5.9. Overall, the proposals are considered to be acceptable in this respect.

## **6. Impact on the character and appearance of the host building and the wider area**

- 6.1. Policy D1 seeks to secure high quality design in development. It requires that development respects local context and character; integrates well with the surrounding streets and open spaces; is inclusive and accessible for all; promotes health; is secure and designed to minimise crime and antisocial behaviour; responds to natural features and preserves gardens and other open space; and provides a high standard of accommodation.
- 6.2. The proposed single storey extension on the south-western elevation would be modest in size and would be subordinate to the host building. It would be largely hidden from public view by the host building, although it may be partially visible above the brick wall on the boundary with Oakley Square. A suitable planning condition (condition no. 3) is suggested to ensure that matching materials are used in its construction. A generous sized private garden to serve the building would be retained, with access through the new extension from the communal dining area.
- 6.3. The infill extension to the right hand side of the main entrance is considered to represent good design as it would remove the existing recessed area which serves no purpose and may attract antisocial behaviour. The installation of a canopy above the main entrance would benefit residents (or anyone else accessing the building) in bad weather and would give the entrance greater prominence. Similarly, the revised entrance door arrangement is considered to represent good design as it is more domestic in character, which suits the proposed new use of the building as a home.
- 6.4. The proposed alterations to the openings (on the elevations and at roof level) are all considered to be acceptable and they would not significantly alter the character and appearance of the host building. Similarly, it is not considered that the service flues would detract from the character and appearance of the host building or the wider area, given their small sizes and positions on the roof.
- 6.5. At the front of the building, space would be provided for a minibus to park up to pick up or drop off residents; however, the plans have been revised to omit a dedicated parking space for the minibus and instead, additional planting would be provide at the front of the building along the side of the drop off area, which is welcomed. Cycle parking and bin storage would also be provided to the front of the building. A suitable planning condition (condition no. 4) is suggested to require full details of hard and soft landscaping and means of enclosure at the site to be submitted to and approved in writing by the Council prior to the commencement of development.

6.6. Overall, the proposals are considered to be acceptable in this respect.

## **7. Trees and landscaping**

- 7.1. Policy A3 of the Local Plan seeks to protect and secure additional trees and vegetation. The policy notes that the Council will resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation. The Council will also require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of development.
- 7.2. The additional landscaping to the front of the building would soften the appearance of the

building, which is welcomed, particularly as it will be people's home. As noted, a suitable planning condition (condition no. 4) is suggested to require full details of hard and soft landscaping to be submitted to and agreed in writing with the Council prior to the commencement of development. A further condition (condition no. 5) will ensure that all hard and soft landscaping is carried out in accordance with the approved landscape details prior to occupation.

- 7.3. At the rear, it is proposed to provide 1.8 metre fencing along the shared boundary with the estate's communal grassed area. Whilst the new fencing would be taller than the existing, it would not be dissimilar to other fencing around the edge of the communal garden and the higher fencing would allow residents with rooms on this side of the building to have a private outdoor space, which would be beneficial to them.
- 7.4. A private outdoor space would also be provided to the front of the building to serve Bedroom 3. The suggested condition (condition no. 4) will require details to be submitted of any means of enclosure so that the Council can ensure the proposed fencing is of a suitably high standard in this prominent location.
- 7.5. Overall, the proposals are considered to be acceptable in this respect.

## **8. Impact on neighbouring land uses**

- 8.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; transport impacts; impacts of the construction phase; noise and vibration levels; odour, fumes and dust. Policy A4 seeks to ensure that noise and vibration is controlled and managed; the Council will only grant permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity. The Council will also seek to minimise the impact on local amenity from deliveries and from the demolition and construction phases of development.
- 8.2. It is not considered that the proposals would cause overlooking to neighbouring buildings, particularly as the host building is only single storey in height. Changes are proposed to the openings on the north-eastern elevation (i.e. facing the communal garden); however, 1.8 metre high close boarded fencing would be provided along the edge of the private gardens, which will prevent direct overlooking towards other ground floor windows or the communal garden. New rooflights would also be provided on the roof; however, insofar as these are within the roof it is not considered that they would give rise to overlooking to neighbouring properties.
- 8.3. It is not considered that the proposals would cause harm to outlook or lead to a loss of daylight/sunlight at neighbouring properties as the proposed extensions are relatively small and sited away from neighbouring properties. Similarly, it is not considered that the 1.8 metre high close boarded fencing would cause loss of outlook or sunlight/daylight to any neighbouring properties, due to its position.
- 8.4. It is not considered that the proposals would cause harm by way of artificial lighting. The use of the building will be domestic in nature and it would not feature an excessive amount of openings.
- 8.5. Concerns were raised about the parking space adjacent to residential properties; however, the parking space has been omitted and additional planting will be provided at the front of the building instead. Whilst there would still be space for a minibus to park on site for pick-ups and drop-offs, this is not likely to cause undue harm as there would only be 5 permanent residents living at the building.
- 8.6. Concerns have been raised about noise, particularly because the former use as a day centre was very noisy, but only during limited hours of the day, whereas the proposed new use would be 24 hours a day. The proposed use will allow 5 adults to live together as a single household,

with an element of care being provided by staff. On the basis that this is a much less intensive use of the building, the level of noise likely to be generated is not considered to be harmful to neighbouring occupiers. Furthermore, the communal area and dining areas (which are likely to be the noisiest areas in the building) are located on the side of the building that is furthest away from neighbouring properties and private bedrooms will be located on the sides of the building nearest to the neighbours.

- 8.7. The plans indicate a plant room and ventilation unit at roof level. The Design & Access Statement notes that any plant will be domestic in nature and will not generate noise. No details of the ventilation unit have been provided as part of this application and therefore a suitable condition (condition no. 6) is suggested to alert the applicant to the fact that this permission does not include any plant.
- 8.8. Concerns have also been raised that the proposed use is not appropriate in a housing estate; however, as noted above, Policy H6 aims to minimise social polarisation and create mixed, inclusive and sustainable communities and the location of the building within a residential estate is considered to be appropriate for this type of use, which is also housing. It is worth noting that the application building was originally designed as a children's home as part of the wider estate so it has a history of being designed to form part of the wider community.
- 8.9. Concerns have been raised about the bin storage attracting vermin; however, it is not considered that bin storage for 5 residents (plus staff) would be likely to cause undue harm to neighbouring properties. In any event, this would be a matter for the Council's Environmental Health Department if it became an issue.
- 8.10. Overall, the proposals are considered to be acceptable in this respect. As noted above, a suitable planning condition (condition no. 8) is suggested to ensure the premises are used solely as a residential care home and not for an alternative use within the same use class in order that the impact of an alternative use could be properly assessed as part of a formal planning application.

## **9. Transport impacts**

- 9.1. Policy T1 of the Local Plan promotes sustainable transport by prioritising walking, cycling and public transport. The application site is in a sustainable location with a PTAL rating of 6a.
- 9.2. As a minimum, the London Plan 2016 requires 1 long-stay space per 5 staff and 1 short-stay space per 20 bedrooms, which equates to a requirement to provide at least 2 spaces on site. Cycle parking, in the form of a Sheffield stand to accommodate 2 bikes, is proposed within the forecourt. The cycle parking needs to be covered in order to comply with the CPG guidance. A suitable planning condition (condition no. 7) will require full details of cycle parking to be provided and agreed in writing with the Council prior to the commencement of development.
- 9.3. Policy T2 seeks to limit the availability of parking and requires all new developments in the borough to be car-free. The policy also supports the redevelopment of existing car parks for alternative uses. The plans have been revised during the course of the application to omit the minibus parking space as there were concerns that the parking space would encourage visitors or staff to park on-site. The amount of car-parking space has now been reduced to the minimum required to operate the building as a care home (i.e. the space will allow a minibus or other vehicle to park for pick-ups and drops).
- 9.4. In this case, it is not considered to be necessary to secure the building as car-free. This is because the proposed tenants are not likely to require a car and even if future tenants do require a car, ultimately it would be up to the Council to determine whether or not to issue a permit. For example, there may be mobility issues which make it necessary for residents to need a car. If an application was made in the future to change the use of the building to residential (Use Class C3) then it would be likely that the dwelling(s) would be secured as car-free at that time, in line with policy.

9.5. Overall, the proposals are considered to be acceptable in this respect.

**Recommendation:** Grant planning permission subject to conditions.

*The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 4<sup>th</sup> November 2019, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.*

Application ref: 2019/4444/P  
Contact: Kate Henry  
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Date: 31 October 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Hertford Road  
London  
N1 5EW

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**93 Mayford  
Oakley Square  
London  
NW1 1NY**

# DECISION

Proposal: Change of use of building from day centre (Class D1) to residential care home (Class C2) to accommodate 5 adults (plus staff); single storey extension to south-western elevation; infill extension adjacent to main entrance; alterations to openings; associated landscaping

Drawing Nos: 2377\_PL\_001A; 2377\_PL\_010A; 2377\_PL\_011A; 2377\_PL\_012A;  
2377\_PL\_040A; 2377\_PL\_041A; 2377\_PL\_050A; 2377\_PL\_100B; 2377\_PL\_110A;  
2377\_PL\_120A; 2377\_PL\_400A; 2377\_PL\_401A; 2377\_PL\_500A; Design & Access  
Statement, dated 29/08/2019.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 2377\_PL\_001A; 2377\_PL\_010A; 2377\_PL\_011A; 2377\_PL\_012A; 2377\_PL\_040A; 2377\_PL\_041A; 2377\_PL\_050A; 2377\_PL\_100B; 2377\_PL\_110A; 2377\_PL\_120A; 2377\_PL\_400A; 2377\_PL\_401A; 2377\_PL\_500A; Design & Access Statement, dated 29/08/2019.

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

- 3 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.

- 4 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of Policies A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details prior to the occupation for the permitted use of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3 and D1 of the London Borough of Camden Local Plan 2017.

- 6 Notwithstanding the approved plans, this permission does not include any external plant.

Reason: To safeguard the amenities of adjoining premises and the area generally in accordance with the requirements of policies A1, A4 and D1 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the occupation of the development, details of secure and covered cycle storage area for 2 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

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.

- 8 Notwithstanding the provisions of Use Class C2 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall not be used as any alternative use other than a residential care home.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise or general disturbance in accordance with policies G1, D1 and A1 of the London Borough of Camden Local Plan 2017.

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Informative(s):

- 1 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 2 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 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).

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

Director of Regeneration and Planning

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**DECISION**