

Application ref: 2019/4039/P
Contact: Josh Lawlor
Tel: 020 7974 2337
Date: 23 December 2019

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Savills
33 Margaret Street
London
W1G 0JD

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
Flats 1 - 13
118 Fordwych Road
London
NW2 3NL

Proposal:

Change of use of a 12-room House in Multiple Occupation (HMO) to an 11-room HMO (sui generis) through the amalgamation of two units over second and third floor into a self-contained unit, associated internal alterations together with installation of bin store, front door, alterations to porch, and replacement of all windows with double glazed timber sash units.

Drawing Nos: EX.02.200, EX.02.300, EX.02.200, 0979.03.300-B, 0979.03.100, 0979.03.200, 0979.02.501, 0979.02.401, 0979.02.211, 09079.02.600, 0979.04.300-B, 0979.04.100-B, 0979.04.200, 0979.02.100B, 0979.02.300-C, 0979.02.400-B, 0979.02.130, 0979.02.500-C, 0979.02.220, 0979.02.210-A, 0979.02.212, 0979.02.200

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans [EX.02.200, EX.02.300, EX.02.200, 0979.03.300-B, 0979.03.100, 0979.03.200, 0979.02.501, 0979.02.401, 0979.02.211 0979.04.300-B, 0979.04.100-B, 0979.04.200, 0979.02.100B, 0979.02.300-C, 0979.02.400-B, 0979.02.130, 0979.02.500-C, 0979.02.220, 0979.02.210-A, 0979.02.212, 0979.02.200, 0979.02.600]

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

Informative(s):

1 Reasons for granting permission.

The proposals involve the amalgamation of two HMO units on the second and third floor to create a self-contained duplex flat. The loss of a single room as a bedsit is acceptable having regard to policy H10 criterion (g), since the existing bedsit on the 3rd floor (southern corner) has limited full head height and would not meet the requirements of the Council's Minimum HMO Standards, which indicates a 12 sqm minimum size (with above 1.9 m height) for a single room incorporating a kitchen. Amalgamating this unit with a small unit on the second floor would justify the loss of a HMO unit. The new self-contained unit over second and third floor would have an internal floor area of 26.2 sqm. Whilst this does not meet the minimum size requirements set out in the National Space Standards for a 1-bed unit, it would be an improved sized unit to the previous small HMO rooms. The Council's Environmental Health team have been consulted on the conversion and raise no objection.

The removal of the existing concrete bin store and replacement with a timber bin store would be welcomed in design terms. The replacement of existing UPVC windows with double glazed timber sash units is welcomed. The alterations to the front door and porch are considered appropriate and the black painted timber cladding inside the porch would complement the host building as such both are considered acceptable in design terms.

The proposed external works are minor alterations which would not cause any amenity impacts for neighbouring occupiers in terms of loss of light, added sense of enclosure or loss of privacy.

Policy T2 states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The Council will not issue on-street or on-site parking permits in connection with new developments and use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits. CPG transport states that the car-free policy applies across the whole borough, regardless of public transport accessibility level (PTAL) ratings. All new developments are required to be car-free, where dwellings are created as part of an amalgamation, subdivision or an extension of an existing development these will be expected to be car free. Therefore all homes in new developments must be car-free, not just additional dwellings. The new unit self-contained unit (Unit 7) over second and third floor is granted subject to a S106 legal agreement that would remove access for future owner/occupiers to apply for on-street parking permits.

No objections were received prior to the determination of this application. The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies H6, H10, D1, A1 and T2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan March 2016, and the National Planning Policy Framework 2019.

- 2 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).
- 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 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.
- 4 This decision notice does not provide or constitute permission for any of the HMO rooms to be used as self-contained dwellings in Use Class C3. Such a change of use would be assessed against the relevant policies in the Camden Local Plan 2017 and any other relevant development plan documents, including policies H6 and H10.
- 5 The shared WC facilities proposed at first and second floor level are integral to use as a house in multiple occupation. Any proposals to remove shared facilities or otherwise alter the provision of HMO accommodation should be discussed with Camden Council's HMO Licensing Service:

hmolicensing@camden.gov.uk

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', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer