

Application ref: 2019/4446/P
Contact: Sofie Fieldsend
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Date: 20 March 2020

Development Management
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Hertford Road
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

Peperfield
Peperfield Project Day Centre
Cromer Street
London
WC1H 8LP

Proposal:

Change of use from day centre (D1) to a 4bed dwellinghouse (C3) and erection of single storey extension at lower ground floor to western elevation

Drawing Nos: 2385_PL_001A; 2385_PL_010A; 2385_PL_011A; 2385_PL_040A;
2385_PL_041A; 2385_PL_042A; 2385_PL_050A; 2385_PL_100A; 2385_PL_110A;
2385_PL_400A; 2385_PL_401A; 2385_PL_402A; 2385_PL_500 and letter from NHS
dated 19th July 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 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 D 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:

2385_PL_001A; 2385_PL_010A; 2385_PL_011A; 2385_PL_040A;
2385_PL_041A; 2385_PL_042A; 2385_PL_050A; 2385_PL_100A;
2385_PL_110A; 2385_PL_400A; 2385_PL_401A; 2385_PL_402A;
2385_PL_500 and letter from NHS dated 19th July 2019.

Reason:

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

- 4 *No part of the development shall be occupied until such time as the Council has confirmed in writing that measures are in place to ensure that no residential parking permits will be issued to occupiers of the development and the development will therefore be car free.

Reason: In order to ensure that the development does not contribute to increased car use and parking congestion in accordance with policies A1, T1, T2, T3 and T4 and DM1 of the Camden Local Plan 2017.

- 5 *No works shall be commenced on site until such time as any owners of the land with the relevant legal locus to enter into a Section 106 Agreement have entered into such an Agreement incorporating obligations in respect of the matters covered by condition 4 above.

Reason: Reason: In order to define the permission, to meet the policies referenced in condition 4 above, and to secure development in accordance with policy DM1 of the Camden Local Plan 2017

Informative(s):

- 1 Reasons for granting permission:

The proposal is for the change of use from day centre (D1) to a 4bed dwellinghouse (C3) and erection of single storey extension at lower ground floor to western elevation. The site has been vacant since April 2018 and the existing facilities were considered poor quality and no longer fit for purpose. A letter of support was received from the NHS outlining the demand for ground floor wheelchair suitable units and that a family have been identified to move into this new unit. They also state that the loss of this facility would not create a shortfall in provision for people with learning disabilities within Camden. The day centre was reprovided in Jan 2019 in the Greenwood Centre in Kentish

Town which amalgamated the integrated learning disabilities day services in a purpose built property. It is considered that it complies with Policy C2 which requires a replacement facility to be provided to justify its loss and the Council is satisfied that the loss of the facility would not create, or add to, a shortfall in provision for the existing community use.

The new unit would be designed to be wheelchair accessible and prove a large 4 bedroom family home which is a high priority unit. It exceeds the minimum floor space standards (129sqm) set out in the London Plan and would have sufficient light, privacy and outlook. It is noted that the flat can be accessed via an existing external ramp which leads to a disabled parking space. This is considered to provide sufficient access for a wheelchair user. It is therefore considered compliant with policy H1, H6 and C6.

The proposal involves extending the building on the western elevation (in the existing courtyard), the extension will project to match the building line of the balcony overhang at ground floor. It is considered that the extension is very modest in scale and the fenestration design is sympathetic to the host property. The extension will be rendered to match the existing building with timber framed fenestration. The materials are considered acceptable.

The proposal would be subject to limited views from the public realm and would retain a useable and reasonably sized garden both for the new occupiers and the communal garden. The proposal would not detract from the host property, streetscene or wider area and is considered acceptable.

Given its siting and minor scale it is not considered that the extension would have an adverse impact on any neighbouring property's amenity in terms of loss of light, outlook or result in a sense of enclosure.

2 cycle parking spaces are provided via a Sheffield stand within the terrace. Highways officers raised no objection and accepted that in this instance that an enclosed cycle store would be inappropriate as it would take away usable space from the private terrace for the disabled occupiers.

It is noted that the site already has access to a disabled parking space which can be accessed via the existing ramp, this will be allocated to this unit. In addition car-free development for any new residential unit would normally be secured by s106 legal agreement, however as this is a Council owned development a shadow s106 legal agreement would be drawn up instead.

No objections were received prior to making this decision and duly taken into consideration. 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 H1, H3, H6, H7, CC1, CC5, C3, C6, A1, D1, T1 and T2 of the Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2016 and of the National Planning Policy Framework 2019.

- 2 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.

- 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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 5 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973)] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 6 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.
- 7 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)

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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.

- 8 The matters covered by condition 4 above (also marked with an *) would usually be incorporated into a Section 106 Agreement. On Council own schemes because the Council cannot enter into an agreement with itself the usual practice would for the permission to reference the Section 106 requirements for information. If the Council retains ownership of the application site although the reference to Section 106 requirements would not be legally binding they would act as a record of the requirements the Council as planning authority expects the Council as landowner to comply with. If the Council disposes of a relevant interest in the Application Site (which for the avoidance of doubt will not include disposals to individual tenants and occupiers) the incoming owner will be required to enter into a Section 106 agreement giving effect to those requirements which will then become a legally binding document. This reflects the terms of condition 4 on the planning permission.
- 9 In the absence of a Section 106 agreement securing the matters covered by condition 4 above, the local planning authority requires an unequivocal written statement from the Council as landowner confirming that it will comply with the matters set out in condition 4 (as provided in the Council's standard s106 obligations on these matters) and that it will not dispose of any of its interest in the land (not including disposals to individual tenants and occupiers) without first ensuring that any new owner simultaneously executes a Section 106 agreement securing any relevant matter covered by condition 4 which are outstanding or ongoing.

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