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Planning & Regeneration
Culture & Environment Directorate
London Borough of Camden
2nd Floor
5 Pancras Square
London
N1C 4AG

For the attention of Mr Ben Farrant

Dear Sir / Madam,

38 CREDITON HILL: APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT

On behalf of our client, Mr & Mrs Malhotra please find enclosed an application under Section 192 of the Town and Country Planning Act (1990) for a Certificate of Lawfulness for a Proposed Use or Development ('CLOPUD'). The application seeks confirmation that the existing three residential units at the site can be amalgamated into two residential units and that a window at ground floor level can be infilled without the need for planning permission.

As part of the application please find enclosed the following:

- Signed and dated application forms
- Site Location Plan
- Existing ground floor plan (drawing number 001)
- Existing first floor plan (drawing number 002)
- Existing second floor & loft plan (drawing number 003)
- Proposed ground floor plan (drawing number 001a Rev F)
- Proposed first floor plan (drawing number 002a Rev E)
- Proposed second floor & loft plan (drawing number 003a Rev B)

The applicant has also made a payment of £231 in respect of the application fee directly to London Borough of Camden (LBC).

The Site

The property is a semi-detached house located on the eastern side of Crediton Hill and currently comprises three vacant residential flats (use class C3). There is driveway parking to the front of property and a rear garden that backs onto Cumberland Tennis Club and associated sports fields. The properties surrounding the site are predominantly semi-detached family homes, as well as some properties that have been converted into flats. The site is a short walk away from West End Lane which has many shops and amenities and it is a 7-minute walk to West Hampstead Railway / London Underground Station.

The property was originally built as a single semi-detached family home. The Council's online planning history records shows the formation of the self-contained ground floor flat in the late 1970s. It is not clear from the planning history when the upper floors were converted into two flats.

Three existing plans are attached showing:

- A three-bedroom ground floor apartment (outlined in blue)
- A two-bedroom first floor apartment with existing roof terrace (outlined in pink)
- A two-bedroom second floor apartment, with storage space within the loft (outlined in green)

The Proposal

Please see the attached proposed plans which show the site reconfigured from 3 units into 2 to comprise:

- A one-bedroom ground floor flat
- A three-bedroom flat at first and second floors

The architect has ensured that the two proposed apartments have their own private front door, that there is no shared internal circulation space and that they have their own kitchen and bathroom facilities.

Drawing number 001a Rev F shows the proposal to infill a window within the proposed kitchen area at ground floor level. This will be done in materials to match the rest of this elevation of the house. There are no other external alterations required as part of the amalgamation of the residential units.

Lawful Development

It is considered that the above proposals would be lawful development and would not require planning permission, and this application seeks confirmation from the Council that this is the case.

On 16th June 2020 Ben Farrant (Senior Planning Officer, Planning Solutions Team) provided pre-planning application advice (reference 2020/2394/PRE) which confirmed that *"the proposal would result in the net loss of no more than one residential unit and would not result in the loss of residential floorspace. The proposed development as presented would therefore comply with policy H3 of the Camden Local Plan."* This is confirmed by the supporting text to policy H3 (paragraph 3.75).

In further email discussions with Mr Farrant on 16th June he agreed with our view that the amalgamation works may not require planning permission *"as the change does not appear to be material."* Mr Farrant suggested an application for a Certificate of Lawfulness as an option for our client if they wanted to have a *"legally binding letter from the Council confirming that planning permission isn't required."*

Further discussions by email with Mr Farrant on 23rd June also confirmed that the infilling of the window at ground floor level would not require planning permission if the materials matched the existing building. For completeness, and so the Council has a record of this proposal, the infilling of the window is included within this application for a Certificate of Lawfulness.

We trust that you have sufficient information to validate the application, however should you have any queries regarding the submission or require any further information please do not hesitate to contact me on the details at the top of the letter.

Yours faithfully

AT McIntyre

Andrew McIntyre MRTPI