

Application ref: 2020/0955/P  
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Date: 18 December 2020

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

NABIL  
117 Nelson Road  
London  
E4 9AS

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

#### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**Upper Ground Floor Flat  
40 Frognal  
London  
NW3 6AG**

Proposal:

Conversion of 1 bed flat into 2 studio flats.

Drawing Nos: A4 site location plan, 303A1, Design and Access Statement.

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:

A4 site location plan, 303A1, Design and Access Statement.

Reason:

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

Informative(s):

1 Reasons for granting permission. [Delegated]

Permission is sought to convert a one bedroom flat (82sqm) at upper ground floor level into two flats. These would have floor areas of 39sqm and 37.8sqm. The minimum floor area for a 1 person flat is 39sqm or 37sqm if the flat has a shower rather than a bath. The smaller flat has a shower and the proposed flats therefore meet the Nationally Described Space Standards. The flats would each be served by at least one window and would be considered to have sufficient levels of daylight and sunlight as well as sufficient ventilation. The internal layout of the new flats is considered acceptable.

With regard to housing mix, Policy H7 (Large and small homes) seeks to secure a range of unit sizes within developments, including large and small units, in order to address housing need in the Borough. The Dwelling Size Priorities Table states that 2 bedroom market units are a high priority and 1 bedroom flats are lower priority. The proposal would result in the loss of a one bedroom sized unit and creation of 2 x studio flats. The proposals would result in the loss of just one one bedroom flat and it is noted that 40 Frognaal has larger flats at first and 3rd floor. Therefore, the property as a whole would continue to provide a mix of units. An informative is attached stating that the further conversion of properties in the building is unlikely to be acceptable, given this policy on unit mix.

Both flats would be secured as car-free via section 106 to ensure there is no impact in transport terms.

Due to the location and nature of the proposals and the fact there are no external works, the proposals would not impact neighbouring amenity by way of loss of outlook, daylight or privacy.

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

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies D1, D2, A1, H1, H3, H6, H7, and T2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 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 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.
- 4 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.

- 5 Your attention is drawn to the fact that there is a separate legal agreement 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.
- 6 You are advised the conversion of other flats in the building would be unlikely to be acceptable based on maintaining a mix of units, in line with Policy H7.

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