

Application ref: 2020/2938/P
Contact: Nora-Andreea Constantinescu
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Date: 16 March 2021

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

AZ Urban Studio
2 John Street
London
WC1N 2ES
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

21 Maresfield Gardens
London
NW3 5SD

Proposal:

Conversion of dwelling to four self-contained flats, demolition of rear bay window and erection of two-storey rear extension, enlargement of rear dormer, two new rooflights, alterations to fenestration and new windows, cycle storage, bin enclosure, timber gates, air source heat pump and outbuilding in the rear garden.

Drawing Nos: 01; 02 Revision 01; 03 Revision 01; 04 Revision 01; 05; 06; 07; 08; 09; 10; 11; 12; 13; 14; 15; 16 Revision 02; 17 Revision 01; 18 Revision 02; 19 Revision 02; 20 Revision 02; 21 Revision 02; 22 Revision 02; 23 Revision 02; 24; 25 Revision 02; 26; 27 Revision 02; 28; Arboricultural Report REV 1 dated 5th of August 2020 by Andrew Day; Tree protection plan dated 24th June 2020; Planning Compliance Report 20472.PCR.01 Rev A by KP acoustics; Sustainability Statement dated 19/06/2020 by HIVE Design Partnership; Design and Access/ Heritage/ Planning Statement dated 23/06/2020 by AZ Urban Studio Limited.

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 policies D1 and D2 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:

01; 02 Revision 01; 03 Revision 01; 04 Revision 01; 05; 06; 07; 08; 09; 10; 11; 12; 13; 14; 15; 16 Revision 02; 17 Revision 01; 18 Revision 02; 19 Revision 02; 20 Revision 02; 21 Revision 02; 22 Revision 02; 23 Revision 02; 24; 25 Revision 02; 26; 27 Revision 02; 28; Arboricultural Report REV 1 dated 5th of August 2020 by Andrew Day; Tree protection plan dated 24th June 2020; Planning Compliance Report 20472.PCR.01 Rev A by KP acoustics; Sustainability Statement dated 19/06/2020 by HIVE Design Partnership; Design and Access/ Heritage/ Planning Statement dated 23/06/2020 by AZ Urban Studio Limited.

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

- 4 Prior to relevant part of works begun, 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. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. 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, D1 and D2 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 [by not later than the end of the planting season following completion of the development or any phase of the development] [, prior to the occupation for the permitted use of the development or any phase of the development], whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) 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, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 A) The development hereby approved shall be constructed in strict accordance with the recommendations and methodologies set out within the Arboricultural report and tree protection plans prepared by Andrew Day consultancy (REV 1 dated 05.08.2020). All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

B) Prior to the end of the next available planting season following construction, no.2 replacement trees shall be planted within the rear garden of the property with replanting species, position and size to be carried out in accordance with The Tree Protection Plan prepared by Andrew Day consultancy (REV 1 dated 05.08.2020) unless otherwise approved by the local planning authority in writing.

Reason: To ensure that the development will not have an adverse effect on existing trees where shown as to be retained and in order to maintain the character and amenities of the area in accordance with the requirements of policies D1, D2, A2 and A3 of the London Borough of Camden Local Plan 2017.

- 7 Cycle facilities details as shown on drawing number 18 Rev 02, shall 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 The outbuilding hereby permitted shall only be used for purposes ancillary to the main dwellinghouse and shall not be used as a separate residential dwelling or business unit.

Reason: To safeguard the character of the rear garden and the residential amenity of the neighbouring occupiers, and to prevent inappropriate uses in rear gardens, in accordance with the requirements of policies A1, D1, H1 and E2 of the London Borough of Camden Local Plan 2017.

- 9 A) A 1.8m tall privacy screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected to the northern side of the upper ground floor rear terrace (facing towards no.23) prior to first use and shall be permanently retained as such.

B) The side glazing facing south (towards no.19) to the rear extension at upper ground floor level shall be obscure glazed and fixed shut. The obscure glazing

shall be permanently retained thereafter.

Reason: In order to prevent unacceptable overlooking of the neighbouring occupiers and to ensure that mitigation measure remains visually appropriate in accordance with the requirements of policies G1, D1, D2 and A1 of the London Borough of Camden Local Plan 2017.

- 10 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Typical details including sections, plans and elevations at 1:10 of all new windows (including jambs, head and cill);
- b) Typical details including sections, plans and elevations at 1:20 of timber glazed panels to rear extension;
- c) Manufacturer's specification details of reconstituted stone facing material to the rear extension (to be submitted to the Local Planning Authority) to include photos of samples of those materials;
- d) Manufacturer's specification details of rear rooflights, both of which are to remain 'conservation style' with flush finish and central glazing bars;
- e) Details 1:50 of the bins enclosure and gates, to include details of materials to be used.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 11 Before the use commences the daytime (07:00hrs-23:00hrs) cumulative plant noise levels from all fixed plant associated with the application site, when at a point 1m external to the nearest noise sensitive residential facades shall be at least 10 dB(A) less than the existing background measurement (LA90), expressed in dB(A), when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that is distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses(bangs, clicks, clatters, thumps), then the noise levels from the plant/equipment at any sensitive façade shall be at least 15 dB(A) below background noise level.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 12 The night time (23:00hrs-07:00hrs) cumulative plant noise levels from all fixed plant associated with the application site, when at a point 1m external to the nearest noise sensitive residential facades shall not exceed 30dBA L90 over a 15 minute period.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors

in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 13 Before the use commences, the air source heat pumps shall be provided with acoustic louvres in line with the insertion loss requirements specified in the acoustic report supporting the application. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To prevent the transmission of noise and vibration throughout the building and or into any neighbouring premises, thus safeguarding the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4 of the London Borough of Camden Local Plan 2017.

- 14 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The property is a single family dwelling which will be converted into four self-contained flats.

Previous permission has been granted for removal of three storey bay and replacement with part single, part two storey rear extension with upper ground floor terrace; enlargement of dormer window and installation of two relights to rear main roof, new window to front at lower ground level and replacement of rear windows; and for the erection of a garden outbuilding for use incidental to dwellinghouse, under planning application ref no 2019/4254/P dated 22/11/2019, and certificate of lawful development 2020/0913/P dated 10/04/2020. The full impact of these works has already been assessed and under the current application they benefit from the fall-back position of permission being granted. The outbuilding is currently being constructed.

The proposed conversion would provide additional housing, which is acceptable in principle. The Council's housing priority identifies 2 and 3 bedroom market flats as 'high priority' and 1 and 4 bedroom market flats as 'lower priority'. The proposal would include one of each, 1x 4 bedrooms, 1 x 3bedrooms, 1x1bedroom, 1x2bedroom, which is considered acceptable due the existing site constraints and internal layout of the existing building . The self-contained flats would have a gross internal areas (GIA) which exceed the national minimum standards set out in the London Plan. All flats will have dual aspect and have direct natural light, with adequate room sizes. The

proposed layout would provide a good standard of accommodation, with stacked services and rooms to ensure harmful noise transmission between habitable rooms.

In terms of provision of amenity space, the site sits in close proximity to Swiss Cottage Open space and Hampstead Heath which is considered appropriate. The proposed larger unit (4bedrooms) will benefit from access into the garden and terrace on the extension's roof, which is accepted.

In terms of transport, the proposed development would be car-free to ensure no additional parking congestion occurs in the area. This would be secured by way of a section 106 legal agreement. Furthermore, subject to the proposed conversion under policy T1, 8 cycle parking spaces would be required. The proposal includes provision of five cycle stands, which would allow for 10 secure bicycles, which is accepted. Three stands would be locate in the front garden and another part on the south side of the building. Details for the stands have been provided and will be secured via compliance condition.

The alterations to the front garden would include provision of bins and recycling facilities for all four flats are provided to the south side of the front garden in a timber enclosure. The position and location of these facilities is accepted and details of these would be secured by condition.

In terms of trees and vegetation, the proposed works would result in removal of four trees, three in the rear garden of low amenity value with one of them in terminal decline, and the 4th one in the front garden. In return, three new trees are proposed, two in the rear garden and one in the front garden. Trees officers have assessed the removal and replacement of trees in the rear garden as part of permission application ref no 2019/4254/P dated 22/11/2019 and the proposed changes to the front garden tree and replacement are accepted. Full details of hard and soft landscaping and means of enclosure of all un-built open areas of the front garden, will be secured by condition.

- 2 Overall, 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 2013.

In terms of sustainability strategy, the proposal includes internal thermal insulation to all floors and roof, and four new ASHPs (air source heat pumps) which would retrieve low-grade heat from the ambient air and condenses it into high-grade heat, to be used for space heating and domestic hot water generation. As such, the proposals would result in a more energy efficient building with a low carbon footprint.

In terms of impact on neighbouring amenity, part of the proposal has been already assessed under application ref no 2019/4254/P dated 22/11/2019. The additional works proposed under the current application are not considered to cause harm to the neighbouring amenity in terms of loss of light, outlook, nor privacy, due to their nature, modest scale and projection.

One objection was received prior making this decision, which is dully addressed in the consultation summary. The planning history of the site has

been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies G1, A1, A2, A3, A4, D1, D2, H1, H3, H6, H7, DM1, CC1, CC2, T1 and T2 of Camden Local Plan 2017. The development would also accord with the National Planning Policy Framework 2019, the London Plan 2016 and The London Plan Intend to Publish 2019.

- 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 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).
- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 6 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.

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 'DP', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer