

Application ref: 2018/5318/P  
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Date: 30 April 2021

**Development Management**  
Regeneration and Planning  
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Neil Kahawatte Architects  
Unit 310  
4 Fortress Road  
Kentish Town  
NW5 2ES England

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:

**Basement & Ground Floor Flat**  
**90 Malden Road**  
**London**  
**NW5 4DA**

Proposal:

Erection of rear extension at lower and upper ground levels, subdivision of existing 2 storey 4-bed maisonette to provide 1 x 1-bed flat and 1 x 3-bed flat. Demolition of existing rear extension at lower and upper ground levels.

Drawing Nos: [1811\_E009 (Location plan), 1811\_A008\_A, 1811\_A005\_A, 1811\_A003, 1811\_A002\_A, 1811\_A001, 1811\_A006, 1811\_A007\_A, 1811\_E001, 1811\_E004, 1811\_E007, 1811\_E003, 1811\_E005, 1811\_E008, 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 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 [1811\_E009 (Location plan), 1811\_A008\_A, 1811\_A005\_A, 1811\_A003, 1811\_A002\_A, 1811\_A001, 1811\_A006, 1811\_A007\_A, 1811\_E001, 1811\_E004, 1811\_E007, 1811\_E003, 1811\_E005, 1811\_E008, Design and Access statement]

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

- 4 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.

- 5 The flat roof of the extension hereby approved shall not be used as a roof terrace.

Reason: in order to protect the amenity of adjoining residential occupiers in accordance with Local Plan policy A1

- 6 Prior to first occupation of the dwellings hereby approved, sound insulation shall be installed to the floor/ceiling separating the ground and lower ground floor levels and thereafter be permanently retained. The sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  shall be enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures implemented to achieve the criteria of BS8233:2014 within the dwellings.

Reason: To safeguard the amenity of residential occupiers in accordance with the requirements of policies G1, CC1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission.

Policy H1 encourages the supply of additional residential units. The subdivision of existing 2 storey 4-bed maisonette to provide 1 x 1-bed flat and 1 x 3-bed flat is therefore acceptable in principle.

The lower ground floor 3 bed flat, would have an internal floor space of 74 square metres (including the proposed extension and removal of stair), which

would meet the minimum requirement for a dwelling of this size, as per the Technical Housing Standards - nationally describes space standard. Each bedroom would have windows and floor to ceiling heights of above 2.3m across the dwelling. The glazed doors, rooflights and modified front light well will provide acceptable levels of daylight to the unit. There is over 2.5 sq. m of built in storage provision as per the Housing Standard. The rear garden would be divided to provide outdoor space for each unit.

The ground floor 1 bed flat, would have an internal floor space of 56 square metres which would exceed the minimum requirement of 50 square metres for a dwelling of this size, as per the Technical Housing Standards - nationally describes space standard. The standard of accommodation for this unit is acceptable given the constraints of the site. The bedroom would a window with a view onto the garden. The floor to ceiling heights would be 3m across the dwelling. There is over 2.5 sq. m of built in storage provision as per the Housing Standard. A condition is attached to the decision to require the installation of noise insulation between the two units.

The proposed single storey rear extension and replacement upper ground floor additions would cumulatively remain secondary in scale to the host building. The height of the extension would ensure that the extension is subordinate to the building. The extension would respect the depths of existing extensions along this terrace. The use of aluminium framed glazed sliding doors is acceptable and will provide a lightweight appearance. The alteration to the forecourt in order to increase light to the lower ground unit and to provide refuse storage is acceptable.

Due to the proposed extension's size and location, it would not harm the amenity of any adjoining residential occupiers in terms of the loss of natural light, outlook, privacy, light spill or added sense of enclosure. The terrace for the ground floor unit is acceptable in amenity terms given the distance to the boundary of no.88. It is also noted that there is an existing terrace in this location and so its replacement would be no worse than the existing situation. The removal of the garden shed is encouraged and will enhance the appearance of the garden setting.

The lower ground floor provides a store to accommodate 2 bicycles. The ground floor flat has a store that has sufficient space to store 1 bicycle. The development is secured as car-free by way of legal agreement. This applies to each of the flats to be created as a result of the development.

The removal of the garden shed would not harm neighbouring trees, given that no excavation would be required for its removal. The paving at the very rear will be permeable paving to replace the existing solid concrete/paving. No harm to trees would occur due to these works.

No objections were received prior to making this decision. The site's planning history and relevant appeal decisions were 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 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 G1, A1, A4, D1, H1, H3, H6, D2, CC1, CC2, CC3 T1 and T2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the NPPF.

- 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.

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