

Application ref: 2020/4107/P  
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**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)

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Whymark & Moulton Chartered Surveyors  
14 Cornard Road  
Sudbury  
Suffolk  
CO10 2XA

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:  
**2 Somali Road**  
**London**  
**NW2 3RL**

**Proposal:**

Conversion of 1 x 5 bed dwellinghouse into 2 flats and replacement of front, side and rear single glazed timber framed windows with double glazed timber framed windows.

Drawing Nos: 17/173-04; 17/173-05B; 17/173-06; 17/173-07A.

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: 17/173-04; 17/173-05B; 17/173-06; 17/173-07A.

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

- 4 The development shall be constructed with an enhanced sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling structures separating the kitchen/diner of the ground floor flat from the rear bedroom of the flat above, and the kitchen/bathroom of the first floor flat from the bedroom of the flat below.

The sound insulation measures shall be installed prior to first residential occupation of the flats and shall be permanently retained thereafter.

Reason: To ensure that the amenity of occupiers of the development is not adversely affected by noise from elsewhere within the development, in accordance with policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Cycle facilities details as shown on drawing number 17/173-07A, 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.

- 6 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.

- 7 \*\* Car free

Both proposed units will be car free.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with policy T2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

Policy H1 aims to maximise Camden's capacity for housing. The proposed conversion would result in the net increase of 1 unit, with the provision of a 2 bedroom flat at ground floor level and a 3 bedroom flat at first floor level, in place of the existing 5 bedroom dwellinghouse. Policy H7 identifies 2 and 3 bedroom market housing units as high priority. The proposed development would therefore contribute to meeting the priorities set out in policy H7 and maximising the supply of additional homes in the borough and is considered acceptable in principle.

The self-contained flats would have gross internal areas (GIA) which exceed the national minimum requirements as set out by the Technical Housing Standards 2015. Both flats would be triple aspect and would have direct natural light, ventilation and good outlook. The rear garden would be subdivided so that both units would have access to private outdoor amenity space. The proposed layout would provide a good standard of accommodation, with adequate room sizes. To the rear of the building, the kitchen/diner of the ground floor flat would be below a bedroom of the flat above, and the kitchen and part of the bathroom of the first floor flat would be above a bedroom of the flat below. In order to limit harmful noise transmission to these bedrooms, a condition would be added to secure enhanced sound insulation between the flats.

In terms of transport, the proposed development would be car-free to ensure no additional parking congestion occurs in the area. This would usually be secured by way of a section 106 legal agreement; however, in this case the Council is the applicant and as a matter of law, the Council cannot enter into a section 106 agreement with itself. As such, the requirement for both units to be car-free will instead be referenced as a condition and included as an obligation within a shadow section 106 agreement. The proposal has been revised to incorporate a secure and enclosed cycle store with space to accommodate 2 cycles, within the rear garden of each property. This satisfies the requirement of policy T1 for the provision of 4 cycle parking spaces. The timber design of the cycle stores is considered to be appropriate for the garden setting, and the provision of these stores will be secured via a compliance condition.

The proposed replacement of the existing front, side and rear single-glazed timber sash and casement windows with double-glazed timber framed replacements of the same style is considered acceptable.

As all replacement frames would sit in existing openings, there would be no additional amenity impact to neighbouring residents arising from the development.

No objections were received prior to making this decision. 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 A1, A4, D1, H1, H6, H7, CC1, CC2, CC3, T1 and T2 of Camden Local Plan 2017 and policies 1, 2 and 8 of the Fortune Green and West Hampstead Neighbourhood Plan 2015. The proposed development also accords with the policies of the London Plan 2016, the Publication London Plan 2020 and

- 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 Conditions marked with \*\*

The matters covered by conditions marked with an \*\* are matters which 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 giving effect to those requirements which will then become a legally binding document.

- 6 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.
- 8 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](http://www.camden.gov.uk/cil) for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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 2021.

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