

Application ref: 2021/3977/P  
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Date: 13 July 2022

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

Phone: 020 7974 4444

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Kristofer Adelaide Architecture  
120 Estcourt Road  
London  
SE25 4SA  
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:

**Flat Ground Floor**  
**240 Finchley Road**  
**London**  
**NW3 6DJ**

Proposal:

Conversion of 1x3bed flat at ground floor into 2 units (1 x2Bed flat and 1 x studio flat) and erection of a single storey rear extension

Drawing Nos: 0113-KAA-XX-XX-DR-A-0100-A1-P1; 0113-KAA-XX-00-DR-A-0110-P1-P2; 0113-KAA-XX-03-DR-A-0105-A1-P3; 0113-KAA-XX-XX-DR-A-0104-A1-P2; 0113-KAA-XX-XX-DR-A-0101-A1-P2; 0113-KAA-XX-00-DR-A-0102-A1-P3; 0113-KAA-XX-00-DR-A-0002-A1-P1; 0113-KAA-XX-XX-DR-A-0003-A1-P1; 0113-KAA-XX-XX-DR-A-0004-A1-P1; 0113-KAA-XX-00-DR-A-0005-A1-P1; 0113-KAA-XX-XX-DR-A-0104-A1-P3; Wallbarn M-Tray Installation guide; Wallbarn GREEN ROOF 2020; Maintenance Schedule for Wallbarn M-Tray Green roof systems; Sedum species M-Tray 2017 and Planning Statement commissioned by Orb Property Planning dated 25.01.2022.

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: 0113-KAA-XX-XX-DR-A-0100-A1-P1; 0113-KAA-XX-00-DR-A-0110-P1-P2; 0113-KAA-XX-03-DR-A-0105-A1-P3; 0113-KAA-XX-XX-DR-A-0104-A1-P2; 0113-KAA-XX-XX-DR-A-0101-A1-P2; 0113-KAA-XX-00-DR-A-0102-A1-P3; 0113-KAA-XX-00-DR-A-0002-A1-P1; 0113-KAA-XX-XX-DR-A-0003-A1-P1; 0113-KAA-XX-XX-DR-A-0004-A1-P1; 0113-KAA-XX-00-DR-A-0005-A1-P1; 0113-KAA-XX-XX-DR-A-0104-A1-P3; Wallbarn M-Tray Installation guide; Wallbarn GREEN ROOF 2020; Maintenance Schedule for Wallbarn M-Tray Green roof systems; Sedum species M-Tray 2017 and Planning Statement commissioned by Orb Property Planning dated 25.01.2022.

Reason:

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

- 3 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.

- 4 The green roof hereby approved as shown on drawing no. DR-A-0104-A1-P3 shall be provided prior to the first occupation of the development in accordance with the approved details and shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The proposed flat roof of the roof extension hereby approved shall not be used as a roof terrace or other form of open amenity space.

Reason: In order to protect the existing residential amenities of the occupiers of neighbouring properties in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 6 Details of secure and covered cycle storage area for 3 x cycles as shown on the Garden Plan (0113-KAA-XX-00-DR-A-0110-P1-P2) shall be installed 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.

- 7 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.

This application relates to the conversion of the ground floor 3 bed flat into 2 flats (1 x 2 Bed flat and 1 x studio flat) and the erection of a single storey rear extension. The studio flat would have a floor area of 42sqm and the 2Bed 4P self-contained unit measures approximately 101sqm. Both units would exceed the Nationally Described Space Standards of 39sqm for the studio unit and 2Bed 4P unit at 79sqm. 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 three bedroom sized unit and creation of 1 x studio and 1 x 2Bed self-contained flats.

The rear garden would be subdivided so that both units would have access to private outdoor amenity space and the proposed layout would provide a good standard of accommodation, with adequate room sizes.

The proposal has been revised to incorporate a secure and enclosed cycle store with space to accommodate 3 cycles, within the rear garden of each property. This satisfies the requirement of policy T1 for the provision of 3 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. In terms of transport, the agent confirmed that the applicant would be returning. However, the the proposed studio 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.

The existing rear extension would be demolished and the proposed single storey rear extension would constructed and the rear additon would projects 4.5m on the northwestern side of the property and 3.3m on the opposite side; the additional depth in relation to the size and depth of the property as a whole would be subordinate to the host building. The proposed extension would not be visible from the public realm and would be constructed with bricks matching the existing and powder coated aluminium doors with 2 x rooflights. Officers consider the extension's contemporary design would have an acceptable

impact on the host property's character and appearance.

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.

- 2 During the course of the application details of the green roof was submitted for approval and the substrate-based living roof with sedum planting is considered to be suitable for the site and to be of sufficient substrate depth to support sedum species proposed. The living roof would enhance the landscaped appearance and biodiversity of the site. A maintenance procedure and irrigation system has been submitted to ensure the quality of the living roof is maintained.

Given the extension's single storey nature and depth, it is unlikely to have an adverse impact on the neighbouring properties in terms of light, outlook or privacy. It is noted that rear elevation of No.238 has significant glazing and no.242 is located approximately 2.5m from the proposed building line and also has an existing projection on the boundary. It is considered that due to the orientation and gap between properties, there would not be any significant impact caused in terms of loss of daylight/sunlight and overlooking.

No objections were received from neighbouring properties following statutory consultation. The site's planning history was taken into account when determining this application.

As such, the proposed development is in general accordance with policies A1, A3, D1, CC1 and CC2 of the Camden Local Plan 2017 and Policies SD5 and BG1 of the Redington/Frognaal Neighbourhood Plan 2021. The proposed development also accords with the London Plan 2021; and the provisions of the National Planning Policy Framework 2021.

- 3 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).
- 4 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, 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.

- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) 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.

- 6 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.
- 7 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 8 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.

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