

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

12 June 2023

Planning Appeal Statement

Dear Planning Inspectorate,

Warehouse to the rear of 49 Brecknock Road, London, Camden, N7 0BT

This planning appeal is submitted against the refusal of planning permission for the conversion of a warehouse to 2 x 2-bedroom 3 person flats, erection of side dormers and alterations to fenestration at the Warehouse to the rear of 49 Brecknock Road, London, Camden, N7 0BT. The planning application was refused by the London Borough of Camden on 14th of February 2023 under planning application reference: 2022/3233/P. The planning application was refused for six reasons which are follows:

- 1) The proposed development, in the absence of sufficient justification demonstrating that the premises is no longer suitable for continued business use would fail to support economic activity in Camden and result in the loss of employment opportunities within the Borough contrary to policies E1 (Economic development) and E2 (Employment premises and sites) of the Camden Local Plan (2017) and Policy SW1 (Supporting small business) of the Kentish Town Neighbourhood Plan (2016).
- 2) The proposed residential flats, by reason of their location and their internal layout and orientation, would experience poor levels of daylight/sunlight, outlook and privacy and would therefore fail to provide an adequate level of residential amenity to the detriment of the enjoyment of future occupiers, contrary to Policies A1 (Managing the impact 2 of development) and C5 (Safety and Security) of the Camden Local Plan 2017.
- 3) The proposed residential flats by reason of their location and layout, would cause unacceptable harm to the amenity of the neighbouring residential occupiers by way of loss of privacy, contrary to Policy A1 of the London Borough of Camden Local Plan 2017.
- 4) The proposed dormers by virtue of their size, design and siting would be unsympathetic and incongruous additions harming the character and appearance of the host building, contrary to Policies D1 (Design) of the Camden Local Plan (2017) and Policy D3 of the Kentish Town Neighbourhood Plan (2016).
- 5) The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to Policies T2 (Parking and car-free development) of the Camden Local Plan 2017.
- 6) The proposed development, in the absence of a legal agreement to secure a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to Policies H4 (Maximising the supply of affordable housing) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

Statement of case

The appeal site comprises of a warehouse unit which is vacant. The site is not listed or located within a conservation area. The appeal site is located on the west side of Brecknock Road, to the south of the junction with Leighton Road. The application site is accessed via alleyways leading from Brecknock Road to the north and south. The development subject of this appeal seeks planning permission for the change of use of vacant warehouse to 2 x 2-bedroom flats and the erection of dormers on the west and east elevations. The vacant warehouse is located to the rear of 47/49 Brecknock Road and the proposed flats would access the site via alleyways beside 47/49 Brecknock Road.

Addressing the first reason for refusal

The Local Planning Authority have stated that the proposed development, in the absence of sufficient justification demonstrating that the premises is no longer suitable for continued business use would fail to support economic activity in Camden and result in the loss of employment opportunities within the Borough.

The appeal site is fully adjoined by residential uses at ground and first floor levels directly to the east of the appeal building and by residential uses directly to the north, west and south. Furthermore, the site is accessed via residential walkways to the north and south. As such, it is considered that the continued commercial use of the unit would not be compatible with the immediate adjoining residential uses. In addition, the condition of the unit does not lend itself well to modern commercial low impact uses that would have no adverse impact on the amenities of neighbouring residential properties. The continued B8 warehouse use is not viable due to the restrictive vehicular access to the unit which is imperative to a warehouse uses. It is considered that residential use of the unit would be more appropriate taking into account surrounding residential uses.

Addressing the second reason for refusal

The Local Planning Authority have stated that the proposed residential flats, by reason of their location and their internal layout and orientation, would experience poor levels of daylight/sunlight, outlook and privacy and would therefore fail to provide an adequate level of residential amenity to the detriment of the enjoyment of future occupiers.

The Technical Housing Standards 2015 specifies that residential units should meet particular internal area requirements. The proposed residential units would comply with the required 70sqm for a 3-person 2 bedroom 2 storey unit. Therefore, the residential units comply with internal space standards.

Each of the flats would benefit from fully glazed doors and additional side glazed panels to the northern and southern elevations and further windows to the rear western elevation facing the park. All of these windows would serve an open plan kitchen/living area and therefore would receive a satisfactory degree of light and outlook due to its dual aspect. The first floor bedrooms would be served by glazed dormers to the eastern and western flank roof slopes. Each flat would benefit from outdoor amenity space.

Addressing the third reason for refusal

The Local Planning Authority have stated that the proposed residential flats by reason of their location and layout, would cause unacceptable harm to the amenity of the neighbouring residential occupiers by way of loss of privacy. The rear elevation of No. 49 Brecknock Road accommodates two habitable room windows. The entrance area to flat 1 and the gardens to both flats would be gained via a fenced off area. As such, there will be no material loss of privacy due to the spatial relationship of the properties.

Addressing the fourth reason for refusal

The Local Planning Authority have stated that the proposed dormers by virtue of their size, design and siting would be unsympathetic and incongruous additions harming the character and appearance of the host building. The proposed dormers are near identical in size and design as that erected to the neighbouring building to the east. Please refer to the below photo of the dormer to the neighbouring property.



Addressing the fifth reason for refusal

The Local Planning Authority have stated that the proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area. In this regard, should the appeal be successful, the applicant is agreeable to entering a car-free legal agreement.

Addressing the sixth reason for refusal

The Local Planning Authority have stated that the proposed development, in the absence of a legal agreement to secure a contribution to affordable housing, would fail to maximise the contribution of the site to the supply of affordable housing in the borough. In this regard, should the appeal be successful, the applicant is agreeable to entering a legal agreement for contributions to affordable housing.

Conclusion

For the aforementioned reasons, the Planning Inspectorate are respectfully requested to allow the appeal.