

Application ref: 2023/3323/P
Contact: Sarah White
Tel: 020 7974 5213
Email: sarah.white@camden.gov.uk
Date: 16 January 2025

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

ARCHPL LTD
400 WEST GREEN ROAD
HARINGEY
LONDON
N15 3PX

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

244 Kilburn High Road
London
Camden
NW6 2BS

Proposal:

Erection of single storey extension at 4th floor level of existing building with associated terrace and extension to the associated stair and lift core at the rear to provide a new residential unit (C3 Use Class).

Drawing Nos: A100_1; A100_2; A101; A102; A103; A104; A105; A106; A107; A108 Rev A; A109 Rev A; A110 Rev A; Accessibility Statement (Arch Planning and Licensing).

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:

A100_1; A100_2; A101; A102; A103; A104; A105; A106; A107; A108 Rev A; A109 Rev A; A110 Rev A; Accessibility Statement (Arch Planning and Licensing).

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 Policy D1 of the London Borough of Camden Local Plan 2017.

- 4 Prior to 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) Details including sections at 1:10 of all windows (including jambs, head and cill);

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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 of the London Borough of Camden Local Plan 2017.

- 5 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling 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.

- 6 Prior to commencement of development, full details in respect of the living roof on the roof of the proposed single storey roof extension shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
 - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

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 and A3 of the London Borough of Camden Local Plan 2017.

- 7 The flat roofs, apart from those shown on the approved plans as external terraces, shall not be used as external emnity space and shall be accessed for maintenance purposes only.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of Policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 8 The dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time in accordance with the requirements of policy C6 of the London Borough of Camden Local Plan (2017).

Informative(s):

- 1 Reasons for granting permission:

Housing

Housing is regarded as the priority land-use of the Development Plan, and the Council will make housing its top priority when considering the future of unused and underused land and buildings. As such the provision of new residential accommodation is compliant with policy H1 providing it meets the Council's residential development standards and does not harm local amenity.

The proposal would provide a 1 x 3 bed/4 person flat which is considered to comply with the policy H7 which encourages a range of different unit sizes.

The Nationally Described Housing Standards require 3b 4p dwellings to have a minimum GIA of 74 sq. m. The proposal more than meets these requirements providing 88.6 sq. m (GIA) of habitable floorspace and provides generous sized living accommodation. The new flat is considered acceptable in terms of its size and layout. The windows mainly face north and southwest and provide a reasonable level of outlook and access to sunlight/daylight. An adequately sized private external amenity space would be provided in the form of a terrace at the front of the property.

Although the proposal would create a new residential unit, it would not exceed

100 sq. m (GIA) of new residential floorspace. Therefore, there is no requirement to provide a contribution to affordable housing.

Design

The existing building is a modern building constructed in the early 2000's. In 2009 planning permission was granted for an additional 4th floor to the 3-storey building to provide additional residential accommodation however the extension was not built. The building is not of any significant architectural or historic merit. The neighbouring buildings at 242 and 246-248 (new build) have constructed, or recently secured permission for, single storey upwards extensions which are set back from the front elevation to provide outdoor amenity space. The proposal follows these examples and would introduce a stepped roof profile when viewed from the street. The principle of the single storey extension at roof level is considered acceptable. The front elevation would be setback to achieve a 1.5m setback which is generally in line with the neighbouring properties and is considered acceptable. The windows the doors fronting onto the terrace would follow the proportions of the window openings below and would be considered acceptable. The terrace would be screened from the street by the front brick parapet that would be increased by 0.5m in height that would reinforce the stepped nature of the front elevations in line with no. 246-248 and no. 242. The extension would be clad in aluminium cladding with a natural copper colour finish which provides a warmer metallic finish than the silver-coloured aluminium cladding that was originally proposed. To ensure the use of high-quality materials a condition will be added requiring details and samples of the cladding, and window frames. A condition would also be included to ensure details of the green roof are submitted.

2 Amenity

Policy A1 and the guidance set out in CPG Amenity seeks to protect the quality of life of neighbours from development. It also states that development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. Spaces that are overlooked lack privacy. Therefore, new buildings, extensions, roof terraces, balconies and the location of new windows should be carefully designed to avoid overlooking.

The extension would be constructed adjacent to the flank elevation of 242 that includes three window openings and would partially screen daylight and outlook from these windows. The windows in the side elevation of no. 242 are secondary windows that serve a living/kitchen/diner and a bedroom. The habitable rooms are served by two windows that front onto Kilburn High Road and two windows that face to the rear towards Kilburn Grange Park. These principle windows would remain unaffected by the proposal. Consequently, the proposal would not be considered to have an unacceptable adverse impact on the daylight, sunlight, or outlook to no. 242. The proposal would also have an acceptable relationship with the neighbouring flats in no. 246-248 which is currently under construction. Due to the height of the existing building and the location of the neighbouring buildings, the daylight and sunlight to the windows in the rear elevation of the flats in the lower floors of the development are already severely constrained. Due to the size, footprint, and scale of the proposed extension the daylight would not be further compromised to the flats

in the lower floors and would be considered acceptable. The same would be true of the existing rear elevation bedrooms adjacent to the lift shaft within the application property. These windows already experience severely constrained access to daylight and sunlight, therefore whilst the extension of the lift shaft would slightly reduce the daylight and sunlight received by the third-floor unit, it would be no further compromised to the flats in the lower floors and thus would be considered acceptable on balance.

Windows in the front and rear elevation of the extension would not increase overlooking to the neighbouring properties than already exists. Views into and out of the external terrace at the front of the extension would be screened by the parapet that would be increased in height by 0.5m. Consequently, the proposal would not have an adverse impact on the amenity of the neighbouring properties in terms of overlooking.

A condition would be attached to ensure that the areas of flat roof would not be used as roof terraces.

Transport

The new flat would be required to be car-free that would be secured by s106 legal agreement which restricts the ability of residents to apply for on-street parking permits. Given that future occupiers will not be able to apply for on-street parking, the proposal would not result in any additional impact on the surrounding on-street parking provision.

The proposal would require two new cycle spaces for all units with two or more bedrooms. The existing ground floor of the building covers the entire site with no outdoor space for cycle storage available. The proposed plans show two cycle spaces in the entrance hallway at ground floor level. Although this is not ideal there would be space within the flat itself to store bikes with lift provision from ground to 4th floor level. Taking into consideration the physical constraints of the site this is considered acceptable.

- 3 Whilst the proposed development is relatively modest in scale, it is considered that given its location amidst a sensitive residential area, and current construction being undertaken at the neighbouring site at 246-248, it would be prudent to secure a Construction Management Plan (CMP) via a section 106 Agreement. A CMP should be submitted once a principal contractor has been appointed and prior to any development commencing on site. The CMP should also be subject to consultation with the occupants of neighbouring properties as necessary. An associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000 would also be secured by s106 legal agreement.

There is a secure refuse storage at the rear of the site for the existing flats that is accessed from Grangeway. The new flat would also have access to this refuse storage area and would be considered acceptable.

Sustainability

Given the scale of the development there is no requirement for a sustainability or energy statement, nonetheless it would need to fully comply with the relevant building regulations. All new build dwellings are required to achieve

110 litres, per person, per day (including 5 litres for external water use). This would be secured by condition.

The Energy Efficiency and Adaptation CPG advises that all developments (including minor developments) should incorporate green/blue roofs or brown roofs. The roofs of the new extensions are considered appropriate to incorporate a green/blue roof to create wildlife habitats, improve biodiversity and reduce localised surface water flooding. A condition would be attached to secure this as well as the details.

The proposal will be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the creation of new dwellings. The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

No representations were received in response to the public consultation undertaken. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

The proposed development is in general accordance with policies H1, H2, H6, H7, C4, C5, A1, A3, A4, D1, D6, CC1, CC2, CC3, CC4, CC5, T1, T2, T3, T2 and DM1 of the Camden Local Plan 2017. Furthermore, the proposed development is in general accordance with the London Plan 2021 and the National Planning Policy Framework 2023.

- 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 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) 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 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.

- 7 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
- 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 for more information, including guidance on your liability, charges, how to pay and who to contact for more advice. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
- 9 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.
- 10 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 the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

[https://www.gov.uk/appeal-planning-decision.](https://www.gov.uk/appeal-planning-decision)

If you submit an appeal against this decision you are now eligible to use the new *submission form* (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope
Chief Planning Officer