

Delegated Report		Analysis sheet		Expiry Date:		13/08/2012	
		N/A / attached		Consultation Expiry Date:		17/07/2012	
Officer				Application Number(s)			
Richard Black				2012/2609/P			
Application Address				Drawing Numbers			
Land to Rear of 87-93 Kingsgate Road London NW6 4LA				11-0153; Le_001; Ls_001; Ls_002; Lp_00L; Lp_00SX; Lp_00TREE; Lp_00S; Lp_00G; Lp_001; Lp_00R as well as Planning Statement/Existing Tree Survey/Design and Access Statement/Lifetime Homes Audit by AAVA ltd (05/2012); Code for Sustainable Homes by Energycount (07/06/2012)			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Erection of a 2 storey 3-bedroom single family dwelling house (Class C3).							
Recommendation(s):		Granted Subject to a Section 106 Legal Agreement					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	20	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Letters were sent to adjoining neighbours and a site notice was displayed from 26/06/2012 until 17/07/2012. No responses were received.					
CAAC/Local groups* comments: *Please Specify		N/A					

Site Description

This site is currently used as garden space for the offices located on the ground floor at 87-93 Kingsgate Road. The site contains a garage and there is vehicular access onto Messina Avenue. The site is not located within a conservation area.

Relevant History

PL/8804456: Planning permission was refused on 27th September 1988 for development of land at the rear of 87/89 Kingsgate Road, by the erection of a three storey single family dwellinghouse.

The reason for refusal can be summarised as overdevelopment of the site, harm to amenity of adjoining properties in relation to daylight and overlooking, excessive density, and non-compliance with parking policy.

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

LDF Core Strategy and Development Policies 2010

LDF Core Strategy

CS4 Areas of more limited change
CS5 Managing the Impact of growth and development
CS6 Providing Quality Homes
CS11 Promoting sustainable and efficient travel
CS13 Tackling climate change through promoting higher environmental standards
CS14 Promoting high quality places and conserving our heritage
CS15 Protecting and improving our parks and open spaces and encouraging biodiversity
CS18 Dealing with our waste and encouraging recycling
CS19 Delivering and monitoring the Core Strategy

LDF Development Policies

DP2 Making full use of Camden's capacity for housing
DP5 Homes of different sizes
DP6 Lifetime homes and Wheelchair Housing
DP16 The Transport Implications of Development
DP17 Walking, Cycling and Public Transport
DP18 Parking standards and limited availability of car parking
DP19 Managing the impact of parking
DP21 Development Connecting to the Highway Network
DP22 Promoting Sustainable Design and Construction
DP23 Water
DP24 Securing high quality design
DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2011

CPG1 – Design
CPG2 – Housing
CPG3 – Sustainability
CPG6 – Amenity
CPG7 – Transport
CPG8 – Planning Obligations

Assessment

Planning permission is sought for the erection of a 2-storey 3 bedroom dwellinghouse. The proposed house would have a width of 6.8m, a depth of 10m and a height of 5.5m. It would be built up to the street edge, with the first floor set back 2.3m from the street boundary and the first floor would be off-set from the adjoining property (no.56 Messina Street) by 1.2m. No on-site parking is proposed.

The principal considerations which are material to the determination of this application are:

- principle of development;
- design and appearance;
- trees;
- quality of the proposed housing;
- impact on neighbour amenity;
- sustainability, and
- transport.

Principle of development

The proposed replacement of this residential outbuilding (the garage) with a new residential unit is supported in principle. LDF policies seek to prioritise housing and the provision of housing in this location would reinforce the Council's objective of reusing previously developed land to provide new residential accommodation to contribute towards meeting strategic targets for adding to the housing stock. The proposal is acceptable in land use terms.

Design and appearance

Policy DP24 requires all developments to be of the highest possible standard of design and will expect proposals to consider, among other things, the character, setting, context, form and scale of neighbouring buildings, as well as the character and proportions of the existing building.

The grid of streets to the east and south of Kilburn Grange Park are densely packed, with a very fine grain. From map analysis, it is apparent that the gaps between the rear and side elevations of perpendicular roads are often narrow, and in some cases have been partially infilled. In other instances, such as on the corner of Gascony Avenue and Kingsgate Road, and Messina Avenue and Kingsgate Road, development continues completely around the junctions. In this particular context, the gaps between buildings in similar locations to the application site provide little in the way of relief from the built environment, with a general absence of soft landscaping. Further to the east of the site where buildings front West End Lane the character is somewhat different - the gaps are more spacious, less interrupted and offer views of gardens and soft landscaping.

The buildings adjacent to the site at the western end of Messina Avenue are arranged in four pairs of semi detached properties which provide a uniformed appearance to this part of Messina Avenue. The current proposal is to erect a two storey dwellinghouse which would abut no. 56 Messina Avenue at ground floor level only. At first floor level it would be set away from no. 56 by 1 metre. The proposed boundary wall/front elevation would ensure that in views from the street the dwelling would appear detached.

Much of building would not be visible behind the boundary wall of the site. At first floor level the building would be set away from no.56 and set back from the street and would have an overall height no higher than ground floor level at the adjoining property, no. 56. This ensures that the building would not appear overly prominent. The proposed dwelling would appear as a stand alone building of an appropriate scale for the site. It would not compete or appear at odds with the semi-detached pairs along the streetscene. As such this aspect of the proposal is considered acceptable in terms of design.

Hebrok Ziegler 'Lutum' brick would be the main facing material, brick is also the predominant building material in the surrounding streets and would be in keeping with the flank wall materials at no. 56 Messina Avenue. Windows would be aluminium-framed and the front door would be made of stainless steel. These materials are considered appropriate in the context of the modern appearance of the building.

The front boundary treatment is proposed to be a brick wall with openings for pedestrian. The height of the proposed front boundary wall is not much higher than the existing wall and is therefore considered acceptable. A covered refuse store would be located in the north-western corner of the courtyard. Full landscaping details is to be secured by condition. All hardstanding should be constructed from permeable materials.

The proposal incorporates a green roof which will contribute to the biodiversity value of the site. It is also

proposed to plant climbers on the eastern elevation of the building to provide a green wall. This will make a useful contribution to the biodiversity value of the site. Details and maintenance of the green roof and green wall would be secured by condition.

Trees

An Arboricultural Report has been provided in support of the application. There are TPO trees located within the application site, and the site is not located within a Conservation Area.

The report confirms that the root protection areas of TPO trees do not enter the area of the site. It is therefore considered that the proposal would not have a detrimental impact on any of the surrounding trees and no further tree protection measures are required.

Quality of the proposed housing

The application proposes a 3 bedroom (4 persons) self-contained dwelling. The property would have a total floor area of 92sqm. The proposed development is fully compliant with Camden Planning Guidance and the London Plan with regard to overall size of flats and the size of the living area, bedrooms, circulation and bathrooms.

The proposed house is considered to provide a good standard of residential accommodation in terms of layout, room sizes, sunlight, daylight and ventilation. The proposal is consistent with LDF Policy CS6 and the Residential Development Standards contained in Camden Planning Guidance. The accommodation has been provided with adequate space for the storage of refuse and recycling on the front forecourt adjacent to the building.

Lifetime Homes

All new homes should comply with Lifetime Homes criteria as far as possible. The applicants have submitted a Lifetime Homes assessment which addresses the 16 points of the criteria and how the scheme complies.

Impact on neighbour amenity

Privacy

No windows are proposed on the south elevation of the proposed first floor which would overlook or create privacy building facing the rear gardens of no. 85-83 Kingsgate Road. A window is proposed at first floor level within the western elevation, however this is to be obscure glazing, therefore mitigating privacy concerns. The proposed windows on the front elevation of the property are a sufficient distance from the residential properties at first floor level on the opposite side of Messina Avenue to ensure they would not allow for overlooking.

Sunlight and daylight

The impact of the proposed development on sunlight and daylight to neighbouring habitable rooms is an important consideration in assessing the acceptability of the application. The buildings to the west on Kingsgate Road have residential accommodation at first and second floor levels.

The proposed house would have a height 2.5 metres greater than the existing garage, and would be substantially larger. A daylight and sunlight study was not submitted with the application, however given the characteristics of the site an assessment can be undertaken without this. The rear elevation of the rear wing extensions at first floor and above for no. 85, 87-93, are devoid of windows and therefore limit the impact on these properties. The windows most likely to be impacted are the first floor windows within the rear facade of no.87-93 Kingsgate Road, the separation distance is 8m in this instance. Given the orientation of the proposal to the north-west and against an existing flank wall of no. 56 Messina Avenue, which is significantly higher than the proposal, it is considered that an insignificant impact on sunlight/daylight will arise for these properties.

As the proposal is directly north of the gardens at 85 Kingsgate Road and 56 Messina Avenue, the proposal would therefore not result in the loss of significant amounts of sunlight to these gardens. The proposal would therefore safeguard sunlight and daylight to neighbouring rear gardens in line with applicable guidance.

Outlook/ Overbearing

It is recognised that, in some cases, new buildings, in addition to existing buildings can harm outlook and may result in an increased sense of enclosure to properties and garden areas. In this case the proposed house

would be 1 storey taller (2.5 metres) than the garage which it would replace. The proposal has a potential impact on the outlooks from the rear gardens of 87-93 and 85 Kingsgate Road. The ground floor tenancies at 87-93 Kingsgate Road are all owned by the applicant and their use is limited due to the commercial nature of these premises. No.85 which abuts the subject site will view the two storey house from the rear of their garden, however this would be in keeping with the built up nature of the area and a structure of this scale would not be uncommon in this high density location. Given the characteristics of the proposal and the site, the impact of the proposed house by virtue of its scale, siting and design is not considered to result in an overbearing effect on neighbouring properties or rear gardens.

Neighbour amenity conclusion

The proposal would not have a detrimental impact on the amenity of neighbouring occupiers and would be consistent with policy DP26.

Sustainability

Policy DP22 requires development to incorporate sustainable design and construction measures and incorporate green or brown roofs. The proposal commits to incorporate the following measures: reduced flow rate taps, showers and toilets, provision of cycle parking, a green roof and green wall, use of category A white goods, provision of a high efficient combi-boiler, thermal insulation, double glazed windows and use of energy efficient light bulbs. Provision of these measures would be secured by S106 agreement.

Transport

The site is located on the east side of Kingsgate Road, near the junction with Messina Avenue. The site is located within the Kilburn Controlled Parking Zone (CPZ) which operates on Monday to Friday between 0830 and 1830 hours. The site has a PTAL score of 6a (excellent), which indicates that it has a very good level of accessibility by public transport. The nearest stations are located on West End Lane, to the north east of the site, where the West Hampstead Underground, Overground and Thameslink stations can be found. No on-site parking is proposed. The proposal is considered to be acceptable in transportation terms subject to the completion of a S106 securing the dwelling as 'car-capped' meaning that the occupiers will be unable to obtain parking permits from the Council for on street parking. The Council's Parking Standards also require the provision of 2 cycle storage or parking space per unit, which can be accommodated within the ground of the development.

A financial contribution is required to repave the footway adjacent to the site and the vehicular crossover, totalling £8,076.43. This will be secured through a S106.

CIL

This proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge for this scheme is likely to be £4,600 (£50 x 92sqm). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index.

Recommendation: Grant conditional permission subject section 106 agreement.

Heads of Terms of the S106 Agreement:

- That the development be car capped;
- Highway works contribution;
- Sustainability Plan (compliance with the measures set out in the application)

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