

Address:	Land Adjoining no.42 Falkland Road London NW5 2PX		
Application Number:	2012/4084/P	Officer: Philip Niesing	
Ward:	Kentish Town		
Date Received:	04/08/2012		

**Proposal: Demolition of existing garages and sub-Station (Sui-generis) and erection of 2 new dwellinghouses (1 x 2-bed and 1x 4-bed) and associated bin storage, hard and soft landscaping.**

1003-BA-101; 1002-BA-102; 1003-BA-103; 1003-BA-104; 1003-BA-105; 1003-BA-106 C; 1003-BA-107 C; 1003-BA-108 B; 1003-BA-109 B; 1003-BA-110 B; 1003-BA-111 D; 1003-BA-112 D; 1003-BA-113 B; 1003-BA-114 B; 1003-BA-115 B; 1003-BA-116 B; 1003-BA-117 B; Design and Access Statement dated 2<sup>nd</sup> August 2012 prepared by Donald Shearer Chartered Architects; Lifetime Homes Assessment ref 1003BA002a dated 6<sup>th</sup> September 2012, Code for Sustainable Homes Pre-Assessment received 22<sup>nd</sup> October 2012 prepared by Dominic Woosey and Associates, Right of Light and BRE Daylight and Sunlight Report, dated 27<sup>th</sup> March 2012 prepared by GVA.

**RECOMMENDATION SUMMARY: Grant permission subject to s106 Legal Agreement**

<b>Related Application Date of Application:</b>	04/08/2012
<b>Application Number:</b>	2012/4086/C

**Proposal: Demolition of existing garages and sub-substation**

as shown on drawing numbers

**RECOMMENDATION SUMMARY: Grant Conservation Area Consent**

<b>Applicant:</b>	<b>Agent:</b>
Mr Alex Zadah C/O Agent	Donald Shearer Architects Scholar's House Shottery Brook Office Park Timothy's Bridge Road Warwickshire CV37 9NR

**ANALYSIS INFORMATION**

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing		<i>Sui Generis (Garages) &amp; Electricity Substation</i>	200m <sup>2</sup>
Proposed		<i>Residential (Use Class C3)</i>	263.8m <sup>2</sup>

Residential Use Details:		
	Residential Type	No. of Bedrooms per Unit

		1	2	3	4	5	6	7	8	9+
Proposed	<i>Dwellinghouses</i>		1		1					

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	7	-
Proposed	-	-

## OFFICERS' REPORT

### Reason for Referral to Committee: Substantial demolition in Conservation Area (Clause 3v)

#### 1. SITE

- 1.1 The application site is located on the south side of Falkland Road near the junction with Lady Margaret Road. The site comprises a disused electricity sub-station and seven garages and is bounded by number 42 Falkland Road to the west, the rear gardens of numbers 11 & 13 Lady Margaret Road, which lies perpendicular with the application site to the east and the rear garden of number 9 Lady Margaret Road to the south.
- 1.2 The surrounding area is predominately residential made up of terraced properties. Front gardens are small with longer rear gardens. Detailing and decoration varies from terrace to terrace and rusticated stucco and canted bays on the ground floor are a common feature. All buildings within Falkland Road with the exception of 5a, 68-70, 71a and the sub station are noted in the Kentish Town Conservation Area Appraisal and Management Strategy as buildings that make a positive contribution to the Conservation Area. The substation is also noted as a building which makes a neutral contribution. No reference is made to the subject garages.
- 1.3 The site also falls within a Controlled Parking Zone.

#### 2. OVERVIEW, PROPOSAL and REVISIONS

- 2.1 The application site was previously Council owned, but sold in July 2012 as a site for potential redevelopment for residential purposes.
- 2.2 *Proposal:* Planning permission is now sought to demolish the existing seven garages and substation and to erect 2 new residential dwellinghouses on the site, comprising a 4-bedroom three storey dwelling and a 2-bedroom single storey dwelling. The proposed dwellinghouses would be attached to the end of terrace, i.e. number 42 Falkland Road and (as revised) reflect the detailed design and appearance of the terrace.
- 2.2 *Revisions:* During the course of this application the detailed design of the proposed houses, in particular the front façades have been amended to match the detailed design and appearance of the front façade of the terrace it would form part of. The following aspects were revised:
  - An extended front bay window at first floor level has been omitted;

- A joined sash window in the front elevation at second floor level has been replaced with a single sash window; and
- The front building line of the proposed 2-bedroom dwelling has been pulled back to be in line with the front building line of the terrace.

### 3. RELEVANT HISTORY

3.1 **PEX0200831** The demolition of the existing single storey garages and the construction of a part 2/part 3 and part 4-storey building comprising nine 1-bed flats for key workers and 5 car parking spaces at ground floor. **Refused** on 23/12/2003 for the following reasons:

1. *The proposed development would result in the loss of the existing garage/parking facilities used by residents in the surrounding streets, contrary to TR13 (Re-use of existing car parks) and TR17 (Residential parking standards) of the London Borough of Camden Unitary Development Plan 2000.*
2. *The proposed development, by reason of its height, bulk and massing, would be detrimental to the amenities of the occupiers of 9-13 Lady Margaret Road through loss of light, outlook and an overbearing and enclosing impact contrary to policies RE2 (Residential amenity and environment) and EN19 (Amenity for occupiers and neighbours) of the London Borough of Camden Unitary Development Plan 2000.*

3.2 **2003/2824/P** The demolition of the existing single storey garages and construction of a part 2/part 3 and part 4-storey building on stilts comprising 8 self-contained flats for key workers with 4 parking spaces at ground floor. **Refused** on 19/12/2003 for the following reasons:

1. *The proposed development would result in the loss of the existing garage/parking facilities used by residents in the surrounding streets, contrary to TR13 (Re-use of existing car parks) and TR17 (Residential parking standards) of the London Borough of Camden Unitary Development Plan 2000.*
2. *The proposed development, by virtue of its height and building line, is not sensitive to the prevailing character of the area and does not comply with policy EN14 (Setting of new development) or EN18 (Design of infill developments) of the London Borough of Camden Unitary Development Plan 2000.*
3. *The proposed development, by reason of its height, bulk and massing, would be detrimental to the amenities of the occupiers of 9-13 Lady Margaret Road through loss of light, outlook and an overbearing and enclosing impact contrary to policies RE2 (Residential amenity and environment) and EN19 (Amenity for occupiers and neighbours) of the London Borough of Camden Unitary Development Plan 2000.*
4. *The proposed development represents an unacceptable overdevelopment of the site resulting in the provision of cramped living accommodation, some of which fails to meet the minimum floorpace standards for potential occupiers, with no garden space. This is considered harmful to the character of the surrounding area, contrary to UDP policy HG10 (Housing density), HG13 (Provision of amenity space) and EN14 (Setting of new development) of the London Borough of Camden Unitary Development Plan 2000.*
5. *The proposed development, by reason of the introduction of windows, balconies and conservatories on the rear elevation of the building, would be detrimental to the amenities of adjoining residents at 5, 7 & 9 Lady Margaret Road and 42 Falkland Road through a loss of privacy contrary to policies RE2 (Residential amenity and environment), EN19 (Amenity for occupiers and neighbours), HG12 (Visual privacy and overlooking) of the London Borough of Camden Unitary Development Plan 2000.*

### 4. CONSULTATIONS

## **Statutory Consultees**

### **4.1 Thames Water**

#### Waste Comments

*Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.*

*Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.*

*Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at [www.thameswater.co.uk](http://www.thameswater.co.uk)*

#### Water Comments

*On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.*

*Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.*

### **4.2 English Heritage**

*'This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.'*

## **Conservation Area Advisory Committee**

### **4.3 Kentish Town CAAC & Bartholomew Estate CAAC**

*'Kentish Town and Bartholomew Estate CAAC feel that the larger of the two houses has the potential to overlook adjoining houses and has a very small garden.'*

## **Local Groups**

### **4.4 Kentish Town Neighbourhood Forum**

With reference to the above application, we would like the following issues to be addressed:

1. *The negative impact on the amenity of the gardens of Nos. 11 & 13 Lady Margaret Road caused by the height of the gable wall of the single storey house. This wall rises to 3850 over a garden 4600mm deep. The height could be reduced by around 900mm if the butterfly roof were replaced with a monopitch leaning on the gable of the three storey house.*
2. *The development of the single storey house up to the back of the pavement with a blank wall is undesirable particularly in relation to the operation of the conservation area and suggests that the site is being overdeveloped.*
3. *The back garden of the three storey house, at 25m<sup>2</sup>, is small for a 4 double bedroom house and again suggests overdevelopment caused by the pushing southwards of the back wall.*

### **Adjoining Occupiers**

<i>Number of letters sent</i>	19
<i>Total number of responses received</i>	9
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	9

#### **4.5 Summary of responses received:**

##### **9a Lady Margaret Road**

- *Loss of privacy ‘...the patio area for both houses backs onto my garden. At present there is a wall and high wire fence separating my garden from the rear of the proposed development...’*
- *Noise and disturbance. ‘...both properties have their living areas at the rear of the houses to my garden;*
- *Design ‘...the rear boundary wall of the properties should not extend beyond the rear wall of No 42 Falkland Road as it is not in keeping with the existing buildings on this street. It also reduces the amount of outdoor space available to the occupants of the proposed dwellings and increases the proximity of their living area to my garden.’*

##### **11a Lady Margaret Road**

- *Loss of daylight and sunlight ‘to my ground floor flat and garden’*
- *Impact on privacy/overlooking ‘...buildings would also overlook my bedroom, kitchen and garden and therefore seriously impinge on my privacy.’*

##### **11b Lady Margaret Road**

- *Loss of daylight and sunlight*
- *Loss of privacy*
- *Impact on parking in the area ‘...it is overcrowded at the moment’*

##### **35 Falkland Road**

- *Design and appearance ‘...issues with the design of the 4 bed house as proposed: 1) The bay window extends to the first floor. ... 2) A strange double sash window on right of the 2nd floor (3 windows in total)....’*

#### 40 Falkland Road

- Design and appearance '*...objection relates only to the fenestration of the house...the bay at first floor level and the different arrangement of windows at second floor level, which is at odds with the fenestration of the existing terrace....*'

#### 41 Falkland Road

- Privacy and design '*... interfere with the privacy...The front elevation has a double storey bay window... 2. For the top of the house three windows are indicated on the plan...*'

#### 39B Falkland Road

- Loss of daylight and sunlight '*...deprive me of the light and the view that I have enjoyed for a quarter of a century and that I believe to be an integral part of my enjoyment of my living space.*
- Design and appearance '*...the double bay window looks ugly and clashes with the style of the adjoining terrace. Similarly, the arrangement of the windows on the second floor is not sympathetic to the style of the street.*'

#### 42A Falkland Road

- Design and appearance '*...fenestration objected to is the bay at first floor level and the different arrangement of windows at second floor level, which is at odds with the fenestration of the existing terrace....*'

#### Address unknown

- Design and appearance '*...Single storey dwelling presents as a featureless masonry facade, built forward of building line, twice the height of the current boundary wall to Falkland Road & Lady Margaret Road properties.*
- Outdoor amenity space '*...Amenity space for both dwellings insufficient, the result of the overly large building foot print... Canteloves Gardens referred to is 1km walk away, not near enough to be an alternative to insufficient onsite provision...*'
- Loss of daylight and outlook '*...from Lady Margaret Road properties...a lower boundary condition & wider gap between the buildings, as opposite on Falkland Road with gaps between 12 & 15m*'
- Sustainability '*...The design & spec don't address sustainability or comply with The Code for Sustainable Homes. The proposal needs amendment to address this & demonstrate compliance with Camden's environmental objectives.*
- Parking '*...car free development policy should be pursued - not car capped, as there is no onsite parking...*'
- Lifetime Homes '*...drawn & spec'd plan layouts do not comply with Lifetime Home Design Criteria or Approved Doc...*'

## **5. POLICIES**

### **5.1 LDF Core Strategy and Development Policies**

CS1 (Distribution of growth)

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 & encouraging biodiversity)  
CS17 (Making Camden a safer place)  
CS19 (Delivering and monitoring the Core Strategy)

DP2 (Making full use of Camden's capacity for housing)  
DP5 (Housing size mix)  
DP6 (Lifetime homes and wheelchair homes)  
DP17 (Walking, cycling and public transport)  
DP18 (Parking standards and the availability of car parking)  
DP19 (Managing the impact of parking)  
DP21 (Development connecting to the highway network)  
DP22 (Promoting sustainable design and construction)  
DP24 (Securing high quality design)  
DP25 (Conserving Camden's Heritage)  
DP26 (Managing the impact of development on occupiers and neighbours)  
DP29 (Improving access)

## 5.2 **Supplementary Planning Policies**

Camden Planning Guidance, 2011

- CPG1 (Design)
- CPG2 (Housing)
- CPG3 (Sustainability)
- CPG5 (Town Centres, Retail and Employment)
- CPG6 (Amenity)
- CPG7 (Transport)
- CPG8 (Planning Obligations)

Kentish Town conservation area appraisal and management strategy, 2011.

Kentish Town Place Plan: Shaping the Future, 2012

National Planning Policy Framework, 2012

London Plan, 2011

## 6. **ASSESSMENT**

The principal considerations material to the determination of this application are summarised as follows:

- Land use
- Residential standards
- Design and appearance
- Amenity
- Transport and parking
- Sustainability

### 6.1 **Land use**

6.1.1 *Loss of existing use:* The site comprises a disused electricity sub-station and 7 garages. Following the sale of the site the existing parking allocated to Camden tenants was relocated within the existing local estate parking provision. There is therefore no land use objection to the loss of the garages on site.

6.1.2 *Proposed use:* The proposal is for residential use of the site. Housing is regarded as the priority land use in the LDF, with policies CS6 and DP2 seeking to maximise the supply of additional homes in the Borough. Given the relatively small size of the site and its location within a residential setting and close proximity to Kentish Town Centre, it is considered that residential floorspace on the site would be the most appropriate.

6.1.3 In light of the above it is considered that the redevelopment of the site for residential purposes is in line with Camden's LDF and therefore acceptable in principle, subject to other material considerations.

## **6.2 Mix and Residential standards**

6.2.1 *Housing tenure and mix:* Camden's detailed approach to securing affordable housing is set out in policy DP3 of the Development Policies. Affordable housing contributions are sought on residential developments that have a capacity for 10 or more dwellings; and as such no affordable housing contributions are required in this instance. The Dwelling Size Priorities Table under Policy DP5 of the Camden Development Policies sets out Camden's priorities in relation to dwelling sizes. For market housing, two bedroom dwellings are a very high priority, with 3 bedroom and 4+ bedrooms dwellings a medium priority, and 1 bedroom dwellings a lower priority. The proposed scheme is for a 1x 4-bedroom and a 1x 2-bedroom house. This mix of dwelling sizes is considered to accord with DP5.

6.2.2 *Residential Standards:* Space and room sizes are provided in CPG 2 (Housing) and advocates the overall internal floorspace in new self-contained dwellings (excluding communal lobbies and staircases) to be 61m<sup>2</sup> for 3 person dwellings and 84m<sup>2</sup> for 5 person dwellings. The proposed 2-bedroom house have a GIA of 69.13m<sup>2</sup> and the 4-bedroom house a GIA of 187.84m<sup>2</sup>, which are considered satisfactory.

6.2.3 Moreover, both properties would comply with the general guidance on residential development standards as advocated in CPG2, in respect of ceiling heights, space and room sizes, storage and utility spaces, daylight sunlight and privacy, security and noise & soundproofing. Outdoor amenity space is provided for both properties in the form of small rear gardens. It is acknowledged that the outdoor amenity space, in particularly for the proposed 4-bedroom dwellinghouse is limited (approximately 20.64m<sup>2</sup>). However, CPG2 does not provide a minimum outdoor amenity requirement, and it is also noted that the site is within walking distance (approx 12min walk) to Canteloves Gardens, which serves the local community. On balance, it is considered that the proposed outdoor amenity space would suffice.

6.2.3 *Lifetime Homes and Wheelchair housing:* A Lifetime Homes statement, which has been submitted in support of the application, shows that the development would meet 13 of the 16 Lifetime Homes standards. Standards 1 & 2 relate to parking which is not applicable to the scheme and standard 5 relates to communal stairs and lifts, which again is not applicable in this instance. The development is smaller than 10 units and there is no strict requirement for provision of a wheelchair unit.

## **6.3 Design and appearance**

6.3.1 Policies CS14, DP24 and DP25 of Camden's Local Development Framework seek to promote high quality places and conserving Camden's heritage. Policy CS14 states that the Council will ensure Camden's places and buildings are attractive, safe and easy to use by



*inter alia 'preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas...'*

6.3.2 The buildings/structures on the site have no architectural merit and the demolition thereof is not considered to cause harm to the streetscene or the special character and appearance of the Kentish Town Conservation Area, in accordance with the provisions of Policy DP25. It is also noted that the garages, due to their age and layout is not all accessible by vehicles.

6.3.3 The proposal involves the infilling of part of an existing gap between the side elevation of 42 Falkland Road and the rear elevations of the properties in Lady Margaret Road. Paragraph 4.17 of CPG1 states that the infilling of gaps will not be considered acceptable where:

- *significant views or gaps are compromised or blocked;*
- *the established front building line is compromised;*
- *the architectural symmetry or integrity of a composition is impaired;*
- *the original architectural features on a side wall are obscured; or*
- *access to the rear of a property is lost*

6.3.3 The revised scheme is not considered to be in conflict with the above guidance. The existing gap between number 42 and the main rear elevation of number 13 Lady Margaret Road is approx 20.55m. This gap would as a result of the proposed 4-bedroom house be reduced to 15.3m at first floor level, which is considered satisfactory to safeguard the urban scene and provide visual interest. The height, scale and mass of the proposed properties are considered to make an appropriate visual relationship with that of the terrace and the wider streetscene, with the 4-bedroom unit maintaining the height of the terrace and then drop down to the single storey element which would accommodate the 2-bed unit.

6.3.4 The front façade, as revised, would be identical to the detailed design and appearance of the terrace it forms part of, which would allow the proposed dwellings to integrate seamlessly within the streetscene and the wider conservation area. The comments made by the occupiers of the neighbouring properties in this respect are duly noted, and most of the concerns have been addressed in the revised scheme. Notwithstanding, the success of the scheme lies in the details of the finishing materials and how closely they match the wider terrace. It is therefore suggested that conditions be attached to the permission which requires further details, including samples of the finishing materials to be submitted for approval prior commencement of development.

6.3.5 Given the size of the rear gardens of the proposed dwellinghouses, it is considered appropriate to remove the 'Permitted Development Rights' under Class A of the GDPO from these properties, by means of condition. This would ensure that these areas are not subsequently filled in by extensions.

## **6.4     Amenity**

6.4.1 The Council has a duty to protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause material harm to amenity in accordance with Policy DP26. The proposed properties would be located at the end of the existing terrace and adjoin number 42 Falkland Road to the west and numbers 9-13 Lady Margaret Road (odds) to the east.

6.4.2 *Overlooking and loss of privacy:* No windows would be incorporated within the eastern side elevation of the proposed dwellinghouses, and the existing boundary wall (1.6m high) would be retained. The property that would be mostly affected by the proposed scheme in this respect is number 9 Lady Margaret Road, which the application site backs onto. However,

given the acute angle (20°-40°) and distance (approx. 14m) between the rear elevation of the proposed 4-bedroom dwellinghouse and the rear elevation of 9 Lady Margaret Road, it is not considered that the proposed dwellings would cause material harm in this respect.

6.4.3 *Overshadowing and loss of daylight/sunlight:* The proposed dwellinghouses would be located on the western side of numbers 11-13 Lady Margaret Road, which means that any additional height/bulk on the application site may result in additional overshadowing of these properties in the early and late afternoons. The eastern flank wall of the proposed 2-bedroom dwelling would be 4 metres in height, protruding approx 1.6m above the existing rear boundary wall with numbers 11-13 Lady Margaret Road. This increase in height on the boundary as well as the additional bulk of the proposed 4-bed dwelling would, owing to the orientation of the site and the proximity to the rear gardens of the effected properties, result in some additional overshadowing of the rear gardens. Notwithstanding, these properties would receive some direct sunlight for parts of the day, and it is therefore not considered that the additional overshadowing would warrant refusal of permission.

6.4.4 A 25° angle line taken from the most effected ground floor windows in the rear elevation of number 11-13 indicates that there would be some loss of daylight & sunlight to these windows. This is primarily as a result of the three storey (4-bed) house, and not the single storey (2-bed) unit. The distances between the effected windows and the facing flank walls of the proposed properties are 12m and 4.6m, respectively. As part of the sale of the land a BRE Daylight and Sunlight assessment was undertaken, which shows a building envelope that would be compliant with the BRE Sunlight and Daylight criteria. It is noted that the bulk and mass associated with the proposed dwellings would be substantially less than the BRE compliant building envelope. It is accordingly considered that the amount of overshadowing and loss of daylight and sunlight resultant from the proposed development would be marginal, and would not warrant refusal of permission.

6.4.5 Moreover, the BRE assessment also concluded that this site does not have other significant Sunlight and Daylight issues with the Falkland Road properties on the opposite side of the road to the site.

6.4.6 *Outlook:* The rear gardens of the ground floor flats at number 11&13 Lady Margaret are approximately 4.6m deep. Inevitably the additional height proposed on the rear boundary (1.6m higher) and the additional (3-storey) bulk to the side of number 42 would restrict views to the west, however given the depth of the rear gardens and the fact that the existing garages (which are sited on the corners of the application site) would be removed, it is not considered that the additional bulk would have such a material impact on the enjoyment of the occupiers of these properties that would warrant refusal of permission.

## **6.5 Transport and Parking**

6.5.1 The site is located within a Controlled Parking Zone, which operates between 8.30am and 6.30pm Monday to Friday. No off-street parking is proposed. The site has a PTAL score of 5, which indicates that it has a very high level of accessibility by public transport. In line with DP18, both residential units should be designated as car free, i.e. no off-street parking is provided and the occupants will be unable to obtain on-street parking permits from the Council. This arrangement would be secured by means of the Section 106 Agreement. Cycle storage would be provided for each property in line with Camden Planning Guidance.

6.5.2 A Section 106 contribution is required to reinstate the footway across the redundant vehicle crossover. The cost for this work is estimated at £3086.79.

6.5.3 Given the scale of development there would be no requirement for a S106 contribution towards pedestrian, cyclist or environmental improvements in the vicinity of the site. Also, a Construction Management Plan is considered unnecessary for this particular development owing to the width of Falkland Road and the site being relatively accessible for construction vehicles.

6.5.4 The proposal will be liable for the Mayor of London's CIL as two units of residential accommodation have been proposed. The charge will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

## **6.6 Sustainability**

6.6.1 Policies CS14 and DP22 requires that all development to take measures to minimise the effects of, and adapt to, climate change and encourage all development to meet the highest feasible environmental standards that are financially viable during construction and occupation.

6.6.2 The applicant has submitted additional supporting information, in the form of a Code for Sustainable Homes pre-Assessment Report, which confirms that the development would achieve CfSH Level 3, which is in line with the requirements stipulated in Policy DP22. CPG3 requires that the minimum standard for categories Energy, Water and Materials are 50% of the un-weighted credits. This would be secure via the s106 Legal Agreement.

## **7. CONCLUSION**

7.1 The redevelopment of the site, involving the loss of the existing garages and substation to provide 2 new residential units is considered acceptable in principle. The proposal is for a family dwellinghouse and a smaller 2-bedroom unit which would provide adequate room sizes, circulation and storage space and considered to be in general compliance within the residential development standards advocated in CPG6.

7.2 The scheme has been revised, with the detailed design and appearance now identical to the terrace it would form part of. It is considered that the revised scheme would preserve and enhance the street scene and the wider Kentish Town Conservation Area. With regards to the impact on residential amenity; it is acknowledged that the additional built form would result in some additional overshadowing to the rear gardens of numbers 11-13 Lady Margaret Road, however, the impact is considered minimal and would not justify the refusal of permission.

7.4 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Car free development
- Footway repaving contribution of £3,086.79.
- Commitment to meet Code of Sustainable Homes Level 3

## **8. LEGAL COMMENTS**

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.