

Delegated Report		Analysis sheet	Expiry Date:	07/08/2012
		N/A / attached	Consultation Expiry Date:	17/07/2012
Officer			Application Number	
Aysegul Olcar-Chamberlin			2012/3083/P	
Application Address			Drawing Numbers	
4 Iverson Road London NW6 2HT			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal				
Change of use from office use (Class B1a) to residential use (Class C3) including 7 x studio flats and 2 x one bed flats with 2 shared common rooms and laundry and erection of cycle storage facilities in rear garden.				
Recommendation:		Refuse planning permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	15	No. of responses	07	No. of objections	07
			No. electronic	05		
Summary of consultation responses:	<p>The occupiers of Top Floor Flat and Basement Flat at 6 Iverson Road, next door neighbour on Iverson Road, 2nd Floor Flat and Basement Flat at 8 Iverson Road, 106 Harmer Green Lane and a resident objected to the proposed development. In summary, the grounds of their objection are:</p> <ul style="list-style-type: none"> • There is little difference between the current application and withdrawn application. • Iverson Road is largely made up of traditional terrace homes containing 3 or 4 flats. The proposed development would be out of keeping with the rest of the road. • The space in each floor is sufficient for not more than two people to live comfortably. The proposal would result in overcrowding. • The proposed flats would be either below or very close to set standards. • This area already suffers from a reduced rubbish collection and suffers from untidy streets and vermin. The proposal would result in the additional rubbish and waste and exacerbate this problem. • There would be noise nuisance from the proposed 9 flats. • There would be loss of privacy. • The proposal would reduce the current enjoyment of the surrounding properties. • The proposal would increase traffic and to the already bad parking conditions. • There is only one fire exit. Given the overcrowding if there is a fire it would be very hazardous. • The application is invalid under C3 dwelling houses use class states that it can be used for up to six people living together. • The proposal would devalue the surrounding properties. • There would be severe social and safety issues. • Cheap and dense accommodation would increase drug problems and anti-social behaviour in the area. • There is already a council housing which is affordable in this area. It is questionable if there is a demand for this type of housing in this area. 					
CAAC/Local groups comments:	No reply to date has been received.					
Site Description						
<p>The application site is a three storey plus semi-basement level mid-terrace property on the south side of Iverson Road within 30m from the junction between Kilburn High Road and Iverson Road. The site is not in a conservation area but is located behind the parade of shops on Kilburn High Road in Kilburn Town Centre.</p>						

The property is currently in office use (Class B1a). The property was built as part of terrace of houses on that side of Kilburn Road. Iverson Road is primarily residential.

Relevant History

Application Property:

CA/1176 - Consent was refused on 28/11/1968 for an internally illuminated, double-sided projecting box sign with lettering to read "Kane Transport (Kilburn) Ltd" to a premise under office use. An appeal logged against the refusal was dismissed on 27/07/1969.

2012/2139/P – Planning application was withdrawn by the agent on 29/05/2012 for the Change of use from office (Class B1a) to residential (Class C3) to accommodate 12 x bedsit units. The case officer raised concerns over the size and mixes of the proposed units.

Neighbouring Properties:

2 Iverson Road – Planning permission was granted on 31/07/1986 for the change of use and works of conversion to form four self-contained flats including the erection of a four- storey infill extension to the rear (ref: 8600929).

6 Iverson Road – Planning permission was granted on 11/05/1984 for the change of use including works of conversion to form a maisonette and three self-contained flats with the erection of a rear extension (ref: 37190).

8 Iverson Road – Certificate of Lawfulness was granted on 23/10/2001 for an existing use of the building as four self-contained flats, one on each floor together with proposed internal alterations (ref: PWX0103578).

Relevant policies

National Planning Policy Framework (NPPF) (2012)

On 27th March 2012 the Government published the National Planning Policy Framework (NPPF). The policies contained in the NPPF are material considerations which should be taken into account in determining planning applications. The NPPF replaces a number of national planning policy documents (listed at Annex 3 of the NPPF).

LDF Core Strategy and Development Policies

Camden Core Strategy

- CS1 – Distribution of growth
- CS5 – Managing the impact of growth and development
- CS6 – Providing quality homes
- CS8 – Promoting a successful and inclusive Camden economy
- CS11 – Promoting sustainable and efficient travel
- CS13 – Tackling climate change through promoting higher environmental design
- 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

Camden Development Policies

- DP2 – Making full use of Camden's capacity for housing
- DP5 – Homes of different sizes
- DP6 – Lifetime homes and wheelchair housing
- DP9 – Student housing, bedsits and other housing with shared facilities
- DP13 – Employment premises and sites
- DP16 – The transport implications of development
- DP17 – Walking, cycling and public transport

DP18 – Parking standards and limiting the availability of car parking
DP22 – Promoting sustainable design and construction
DP23 - Water
DP24 – Securing high quality design
DP25 – Conserving Camden's heritage
DP26 – Managing the impact of development on occupiers and neighbours
DP31 – Provision of, and improvements to, open space and outdoor sport and recreation facilities
DP32 – Air quality and Camden's Clear Zone

Camden Planning Guidance 2011

CPG1 (Design) – Section 5
CPG2 (Housing) – Section 4 and Section 5
CPG 3 (Sustainability) – Section 2, Section 4 and Section 9
CPG5 (Town Centres Retail and Employment) – Section 6
CPG6 (Amenity) – Section 6 and Section 7
CPG7 (Transport) – Section 5 and Section 9

Assessment

Proposal

This is a resubmission of the previously withdrawn scheme for a similar development with 3 less self-contained bed-sits and addition of a cycle storage facility.

The current proposal is for the change of use from office use (Class B1a) to residential use (Class C3) including 7 x studio flats and 2 x one bed flats with 2 shared common rooms and laundry and erection of cycle storage facilities in the rear garden. Other than cycle storage no other external additions and alterations are proposed.

The main considerations in terms of land use are whether the loss of the office space is acceptable and whether the proposed residential use which would involve 9 self-contained residential units with shared facilities is supported by the Council's housing policies and standards.

Loss of offices

The proposal would result in loss of 205sqm office floor space in order to provide residential accommodation. The existing office is a conversion from a former terraced house over four floors.

The application property has been occupied by Keanes Limited, who operates a haulage and plant hire business. The firm's website indicates that they are based in Wembley. According to the justification included in the submitted Design and Access Statement the Keanes Ltd intends to relocate their office on to the depot site where they will be in premises all on one level and they find the existing office arrangement at 4 Iverson Road inconvenient. The applicants argue that the existing premise is too large for a small office and is not suitable for a modern office accommodation.

Policy CS8 is promotes provision of 615,000 sq m of new office space focussed in Central London, and safeguards existing employment space, with an emphasis on premises with the flexibility to provide for industrial and storage activity. Supporting para 8.8 of this policy states that the Council will consider alternative uses for older office premises if they involve the provision of permanent housing (in particular affordable housing) and community uses.

Policy DP13 also indicates that Council may allow loss of employment premises that are only suitable for B1a office use if they provide permanent residential uses or community uses (except in Hatton Garden). According to the set criteria given in para 13.3 of this policy when considering whether a business use should be retained will be determined by taking into account whether the site:

- is located in or adjacent to the Industry Area, or other locations suitable for large scale general industry and warehousing;
- is in a location suitable for a mix of uses including light industry and local distribution warehousing;
- is easily accessible to the Transport for London Road Network and/or London Distributor Roads;

- is, or will be, accessible by means other than the car and has the potential to be serviced by rail or water;
- has adequate on-site vehicle space for servicing;
- is well related to nearby land uses;
- is in a reasonable condition to allow the use to continue;
- is near to other industry and warehousing, noise/vibration generating uses, pollution and hazards;
- provides a range of unit sizes, particularly those suitable for small businesses (under 100sqm).

While para 13.5 of policy DP13 indicates that evidence of a 2 year marketing exercise must be submitted before a non-business use can be considered. These are supplemented by further criteria in para. 6.4 of CPG5, along with details of when marketing information is required.

No marketing justification is submitted with the application but given the site constrains it is considered that the robust marketing evidence is not necessary in this case. The application premise used to be a former terrace house and has a floor area above 100sqm. The rest of the properties in the same terrace as the application property have residential dwellings, many of which are divided into flats. Given the residential nature of the terrace the application premise is inherently unsuitable for any business use other than an office. There is no on-site vehicular access, the front door is above street level and accessed via 7 steps. Although the site is very easily accessible by public transport it is not in an office location and the existing layout of the application premise is unsuitable for modern office functions. The property is close to Kilburn Town Centre, but is not suitable for a small business by virtue of its size. On this basis, marketing evidence is not needed to demonstrate the property's unsuitability for continued business use.

In light of this and taking into account the set criteria in CPG5 the loss of employment space is acceptable in this instance.

Principle of residential Use:

Policy DP9 is aimed specifically at bedsit proposals and HMOs under Sui generis Class use. Given all the proposed bedsits are self-contained even if they share some facilities such as storage rooms and laundry they are considered to be separate planning units and therefore the set criteria on page 53 of policy DP9 to support provision of new HMOs is considered not to be relevant to this proposal. If the proposal is for a HMO unit in compliance with the Council's HMO standards that would have been acceptable in this location in principle.

Policy DP2 expects that maximum appropriate contribution to housing from sites that are underused or vacant. The proposed residential use is welcomed and in accordance with policies CS6 and DP2. However more detailed consideration needs to be given to mix of the proposed flats, the living standards and accessibility of the proposed flats, impact of the proposed alterations and excavation works on the appearance and character of the existing building and the conservation area and the impact on the amenities of the neighbouring properties.

Standard of accommodation

CPG2 sets standards for residential developments in terms of space and room sizes, daylight, outlook and privacy. As set out on page 54 of CPG2 the minimum unit size for one person self-contained unit is 32sqm and the minimum unit size for two person self-contained units is 48sqm. The below table shows that all of the proposed self-contained units would be well below the minimum space standards and would provide substandard living standards for the future occupiers.

Proposed self-contained units	Floor Area (approximate)
Studio LG1 (single occupancy)	10sqm
Studio LG2 (single occupancy)	15sqm

Studio G1 (single occupancy)	10sqm
Studio G2 (single occupancy)	15sqm
One bed unit 1.1 (double occupancy)	19sqm
Studio 1.2 (single occupancy)	11sqm
Studio 1.3 (single occupancy)	11sqm
One bed/studio flat 2.1 (double occupancy)	19sqm
Studio 2.2 (single occupancy)	11sqm

Without taking into account the kitchen and living areas the minimum floorspace for a first and double bedroom on its own in CPG2 (para 4.16) is 11sqm and for a single room is 6.5sqm. In addition to that CPG2 (para 19) states that a storage cupboard with a minimum floor area of 0.8 sq m should be provided for 1- and 2-person dwellings. The proposed units would not have adequate space for a storage, living space and kitchen and bathroom facilities without causing cramped living conditions.

It is also noted the proposed single occupancy units would be even below the Council's minimum HMO standards. According to the HMO standards the single occupancy units with kitchen should have minimum floor area of 12sqm. It is considered that the proposed single occupancy units would not have been designed to have a safe and suitable layout for sleeping and combined kitchen facilities if they were to form part of a HMO.

Policy DP6 states that Lifetime Homes Standards will be applied to all development of self-contained housing, including conversions, change of uses and proposal for bedsits with shared facilities. The Lifetime Homes Assessment submitted with this application does not include sufficient information to support why 16 lifetime homes criteria cannot be met. The assessment presumes most of them are not relevant to this application. Given the existing entrance to the property is stepped and the building already exists it would be unreasonable to expect compliance of all 16 lifetime homes criteria. However the proposed self-contained units are very small in size and that makes it difficult to improve accessibility to ensure that the internal layout of the building is capable of accommodating the future occupiers' changing needs over time in accordance with the lifetime homes standards. On that basis the proposal is considered to be contrary to policy DP6.

The proposed units are considered to be substandard in terms of living space and would not tailor accessible living for all.

Mix of proposed units:

Policy CS6 seeks the provision of quality housing with appropriate mix of sizes and types that are needed. Policy DP5 sets the Council's priorities for homes of different sizes and resists development proposals that contain only one-bedroom and studio flats. Supporting para 5.2 indicates that the policy applies primarily to C3 self-contained homes, but also applies to bedsits where the development could lawfully be occupied as self-contained dwellings.

The proposed units would be either studios or 1-bed units. According to "Dwelling Size Priorities" Table of policy DP5 there is a high need for supplying three and two bedroom flats in private developments (page 38 of LDF Development Policies). The table gives the lowest priority to one bedroom or studio flats. Given the existing building is on a predominantly residential road and there is a scope for providing a 2 or 3 bedroom unit the provision of only studio or one-bed units in this location is contrary to policy DP5. This policy aims to meet the demand for different sizes of dwellings

and contribute to the creation of mixed and inclusive communities by containing a mix of large and small homes overall. The table indicates that there adequate housing stock to accommodate a demand for one-bedroom or studio flats and therefore it is reasonable to expect the proposed development to take into consideration the prioritised types of housing.

The applicants in the submitted Design and Access Statement argue that the provision of larger units in this nature of a single building would not be possible. All floor levels of the existing building are served by one internal staircase. The lower ground floor level of the building has a separate access from the street level. Although it is noted that the location of the existing staircase limits the use of the rooms at the rear closet wing the building is not listed and therefore there is a scope for alterations to subdivide the building in accordance with the Council's dwelling size priority table. It should also be noted that both of the adjoining houses have been divided into four self-contained units.

The proposed mix of the units is considered not to contribute to the much needed different types of housing that would help the creation of mixed and inclusive communities.

Sustainability

Policy DP22 expects developments that involves 500sqm residential floor space or 5 or more dwellings (except new build) to achieve at least "very good" in EcoHomes assessment. No sustainability statement has been submitted with the application to address this policy. Given the proposal would result in 9 self-contained units the EcoHomes assessment is required.

Policy CS13 aims to ensure developments to use less energy and achieve reduction of in carbon dioxide emission by use of on-site renewable energy sources. Section 2 of CPG 3 requires developments that involve 5 or 5 or more dwellings and/or 500sqm (gross internal) or more to submit an energy statement which demonstrates how carbon dioxide emissions will be reduced in line with the energy hierarchy. No energy statement in accordance with the guidance in CPG3 to address policy CS13 has been submitted.

In the absence of EcoHomes Assessment and Energy Statement carried out by a professional body the proposal would be contrary to the aims of policies CS13, DP22, DP23 and DP32.

Transport

The site has no vehicular access and is within a Controlled Parking Zone. The public transport accessibility to the site is excellent (PTAL 6). The site is suitable for car-free development. Given the proposal would result in additional 9 residential units the proposed development should be made car-free through a Section 106 legal agreement.

DP18 requires development to sufficiently provide for the needs of cyclists, which are contained in Appendix 2 of the Development Policies document. Camden's Parking Standards for cycles states that one storage or parking space is required per residential unit. The proposed development includes provision of cycle storage facility in the rear garden. The proposed cycle storage would be 2.45m by 0.8m and would not have adequate space to park 9 bicycles. The Council's transport planner considered the proposed cycle storage facility to be inadequate.

In absence of Subject to a S106 agreement for car free housing and adequate cycle parking facilities the proposal is considered to be unacceptable in transport terms.

Refuse Storage and Management

Residential developments of fewer than 6 dwellings could be serviced by a kerbside waste and recyclables collections, whereby sacks are left on kerbside on collection days. As the proposal is for 9 units the refuse storage and management should be addressed properly. Four refuse bins on the front garden and five refuse bins on the rear garden shown on the proposed lower ground floor plan. Given capacities of the proposed refuse bins are not given it is not possible to determine whether the proposed refuse storage would be adequate for the proposed flats.

The Council's Environment Services projected the weekly waste for studio/one bed flat to be 100 lt per week and recommended the bins to be kept in an enclosure to improve the aesthetics of the development. For sizes of containers the Environment Services recommended 1100lt Eurobin (1370mm x 990mm x 1260mm).

The Council's transport planner raised concerns over the overall increase in the number of refuse bins (from one or two bins to 9 bins). The footway fronting the site is relatively narrow at 2.5m in width. If the refuse collection and storage is not managed well nine bins left out on the footway could clutter the street and hinder pedestrian movements.

The details for refuse storage and management submitted with this application are considered to be inadequate. This could be rectified by way of a condition for full details of refuse management and storage.

Others

Given the proposal would not result in additional floor space CIL is not applicable in this case.

Policy DP31 considers developments that involve schemes of 5 or more additional dwellings to increase the demand for public open space. The existing rear garden space (approximately 95sqm) is considered to provide adequate open space for the future occupiers therefore no additional financial contribution towards maintenance of public open spaces is required in this case.

Conclusion

The proposed residential units would be substandard in terms of floor spaces and would provide poor living standards of accommodation for the future occupiers and would not have a flexible layout to accommodate Lifetime Homes standards.

The proposed mix of units by reason of lack of two or three bedroom flats would be incapable of supplying appropriate mix that is needed within the Borough.

The proposed development would be unacceptable in terms of transport due to the lack of cycle parking provision and the absence of S106 agreement for car-free housing.

The proposed development also fails to address the Council's policies concerning sustainability.

Recommend: Refuse planning permission.

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