

Delegated Report		Analysis sheet		Expiry Date:		27/07/2012	
		N/A		Consultation Expiry Date:		05/07/12	
Officer				Application Number(s)			
Adrian Malcolm				2012/2512/P			
Application Address				Drawing Numbers			
Hillside Court 409 Finchley Road London NW3 6H				Site Location Plan; Drawing No(s) (Prefix HC-P-) 005, 001, 002,			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use of ancillary store room to self contained studio flat at lower ground level of existing residential block (Class C3).							
Recommendation(s):		Refuse Planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	07	No. of responses	01	No. of objections	01	
			No. electronic	01			
Summary of consultation responses:		One letter of objection on the following grounds: -Substandard size of accommodation -Unrestricted access causes a security risk -Objector contends that it is the published intention of the applicants to erect a shed for storage in the southeast corner of the garden under permitted development to replace the facilities displaced by this proposal which would have an adverse impact on nearby residential premises (an area has already been cleared in anticipation).					
CAAC/Local groups comments:		N/A					

Site Description

The site is a large block of flats on the western side of Finchley Road. The property is not listed and is not in a conservation area. The space where the new residential unit is proposed is currently a storage area.

Relevant History

32411 - Conversion of two small guest rooms into a self-contained flat at 57 Hillside Court. Granted – July 1981

8702824 - Change of use from six guest rooms in multiple occupied flat to form three self-contained flats including works of conversion as shown on drawing no. 1 2 revised on 2nd October 1987. Granted – November 2007

8803870 - Erection of a roof extension to provide six additional self-contained flats including the formation of roof terraces at front and rear. Refused – August 1988

2007/5138/P - Change of use of existing storage accommodation for the block of flats at basement level to form a two-bedroom self-contained flat. Granted – December 2007.

2012/0390/P- Erection of roof extension with green roof to provide 3 self-contained flats (1 x 1-bed and 2 x 2-bed) (Class C3) with roof terraces to the front and rear, and extension of chimneys and enclosure of existing circulation core with aluminium louvers. Refused- April 2012

N.B. The applicant draws attention to an informal inquiry June 2011 when a Council officer invited the developer to apply for a Certificate of Lawful Development for authorised use of a porter's room at the rear south east corner of the lower ground as a residential unit (not the current application site). Although there is not a formal requirement to submit such applications, the records indicate that no such application has been received to date to test whether the unit has an established use as a residential unit.

Relevant policies

LDF Core Strategy and Development Policies

Core Strategy

- CS1 (Distribution of Growth)
- 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)
- CS17 (Making Camden a Safer Place)
- CS18 (Dealing with Our Waste and Encouraging Recycling)

Development Policies

- DP2 (Making Use of Camden's Capacity for Housing)
- DP5 (Homes of Different Sizes)
- DP6 (Lifetime Homes and Wheelchair Homes)
- DP17 (Walking, cycling and public transport)
- DP18 (Parking Standards and Limiting the Availability of Car Parking)
- DP19 (Managing the impact of parking)
- DP24 (Securing High Quality Design)
- DP26 (Managing the Impact of Development on Occupiers and Neighbours)
- DP29 (Improving Access)

Camden Planning Guidance (CPG)- especially 2 Housing, 6 Amenity, 7 Transport and 8 Planning

Obligations

London Plan 2011 and Supplementary Planning Guidance (especially re SPG and draft SPG on Housing)

National Planning Policy Framework

Assessment

Proposal

Change of use of ancillary store room to self contained studio flat at lower ground level of existing residential block (Class C3).

Late background information was received from the applicant during the compilation of this report. This refers to anecdotal reported strong demand for a nearby porter's room as a residential flat (see history) from students and professionals eager to settle in the area with its setting.

N.B. The historical e-mail correspondence attached to the late background information is in relation to an informal enquiry in 2011 regarding potential established use a nearby porter's room as a residential flat. During the discussions, it seems the now applicants had considered moving the porter's room to the store/welfare room that forms the application site in the context of the potential issue raised at the time of the existing porter's room possibly qualifying as affordable housing. No reference is made to this in the current application however- a general Class C3 self contained residential flat is applied for.

Considerations

Principle of proposed residential unit and quality of accommodation

There is strong demand for housing in the borough and housing is the priority use of the LDF in order to optimise supply, although under Policy DP5 the dwelling size priorities table places a low priority on the provision of studio and 1 bedroom private accommodation. The space is already used for purposes ancillary to residential (note the objector's concerns, however if storage is resolved under permitted development this is not a matter of planning control) and the *principle* of the space being used as residential is acceptable (not necessarily as an entire unit on its own), however it is important that the *quality* of accommodation is acceptable.

CPG 2 on housing supports the housing policies such as Policy CS5. The size of the entire proposed unit would be a mere 16.5sqm, whereas the minimum floorspace threshold for a 1 person unit in CPG2 (para 4.14) is nearly double this at 32sqm. The only habitable room is a combined living/kitchen/bedroom 13.02sqm, whereas the minimum floorspace for a first bedroom on its own in CPG2 (para 4.16) is 11sqm which does not take account of kitchen and living areas. The proposed layout demonstrates the lack of space. There is only space for a sofa bed that would need to be collapsed to enable the room to be used in practical terms during the day. There is little room for storage (the floorarea of the wardrobe is 0.25sqm- below the minimum storage of 0.8sqm in CPG2, para 4.19) and daily amenities such as TV or internet and only a tiny table with a chair that may impede access to the wc/shower room if not in use.

Furthermore the only window to this single aspect unit located next to an electrical switch room would be less than 1/10 of the floor area of the habitable space (the door is shown as solid), the window is not within 30 degrees of south and does not have solar shading (minimum lighting requirements in CPG2 para 4.23), suggesting a poorly lit space in terms of natural light, that may be prone to afternoon overheating in summer.

It is appreciated that CPG2 is guidance, however it does provide a means of testing the suitability of the unit against which the proposal performs poorly. It is also appreciated that the aspect on to communal garden would be pleasant, albeit that the window would be directly adjacent to a pathway

that may be used by other residents which would not be ideal for the privacy of residents of the only habitable space. The applicant's anecdotal information that there is potential demand for even extremely small units in a location such as this. It remains to be proven whether the porter's room would qualify for established use as a residential flat, but even if this were factually proven, it would not significantly add to the case for granting planning permission for this sub-standard unit. These issues are not considered to outweigh concerns regarding the substandard quality of accommodation, which would be unacceptable due to insufficient floorspace, cramped layout and poor levels of natural light in particular.

Lifetime Homes

A lifetime homes assessment is provided which shows that not all 16 lifetimes homes criteria could be met. Some criteria are not relevant, while criteria 2 and 3 are not met due to the existing approach via an existing set of steps and the fact that 2 steps exist at the entrance. Criterion 9 states there is an entrance level bed, however this would need to be folded away when not in use. Other claims regarding the suitability of the bathroom and circulation space are also somewhat debatable, however given the approach to the unit and fact that this is a conversion where some flexibility is necessary in view of existing constraints, it is not considered that objection is warranted on lifetime homes grounds as such.

Impacts on neighbours

The neighbouring residential building at no 411 is higher than the level of the proposed dwelling at the top of a slope with a 1.8m close boarded fence. There is also already a degree of historical mutual overlooking between no 411 and Hillside Court from a number of existing flank windows. The proposal would thus not result in any loss of serious amenity through overlooking.

Transport Issues

The unit would need to be car free, secured by legal agreement and in the absence of a S106 would constitute a reason for refusal.

There is ample space in the grounds to provide cycle storage and refuse storage, thus this could be secured by condition.

Community Infrastructure Levy:

The unit falls beneath the threshold for a CIL payment.

Recommendation: Refuse

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