

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		14/05/2010	
		N/A / attached		<b>Consultation Expiry Date:</b>		11/05/2010	
<b>Officer</b>				<b>Application Number(s)</b>			
Hannah Parker				2010/1345/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
118 Boundary Road London NW8 0RH				See Decision Notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Change of use and residential conversion from mixed use commercial (Classes A1, A2 & A3) to residential flat (Class C3) at lower ground floor level, plus associated external alterations including works to the existing front light-well, new front railings at ground floor level and alterations and insertion of windows / doors at lower ground floor level.							
<b>Recommendation:</b>		Refuse Permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	09	No. of responses	00	No. of objections	00
				No. electronic	00		
<b>Summary of consultation responses:</b>		A site notice was displayed from the 07/04/2010 until 28/04/2010: No responses to date					
<b>CAAC/Local groups comments:</b>		No responses to date					
<b>Site Description</b>							
The application site refers to a three storey terraced dwelling on the west side of Boundary Road. The site is located in the St John's Wood Conversation Area.							
<b>Relevant History</b>							
9501093: Use of the lower ground and ground floors for any purpose within Class A1 A2 or A3 as defined by the Town and Country Planning (Use Classes) Order 1987 together with the installation of a new shopfront and minor external alterations. Granted 14/12/1995							
PW9902705: The installation of two air conditioning units at the rear basement level. Granted 05/01/2000.							

## Relevant policies

### Replacement Unitary Development Plan 2006

H1 New Housing  
B1 General Design principles  
B3 Additions and Extensions  
B7 Conservation Areas  
SD6 Neighbourhood Amenity  
R7 Protection of shopping frontages and local shops  
T12 Works affecting highways  
T8 Car free housing and car capped housing  
T9 Impact on Parking  
T3 Pedestrians and Cycling

### LDF Core Strategy and Development Policies

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.*

*CS1 Distribution of Growth*

*CS5 Growth Areas*

*CS14 Promoting high quality places and conserving our heritage*

*CS15 Protecting and improving our parks and open spaces and encouraging biodiversity*

*DP24 Securing High Quality Design*

*DP26 Managing the impact of the development on occupiers and neighbours*

*DP2 Making full use of Camden's capacity for housing*

## Assessment

Conversion of space connected to the commercial use above to residential including the creation of a lightwell to the front of the property.

### Main Considerations

- Land use
- Impact on host building and the conservation area
- Neighbourhood Amenity
- Transport

### Land use

The proposal relates to an existing ground floor shop unit (which appears to have a mixed commercial use). The site is not located within any designated Town or Neighbourhood Centre.

Policy R7 has a general presumption against the loss of retail floorspace. However, this is principally aimed at protecting retail space within the designated centres. Outside of the designated centres (and outside of the Central London Area), the policy states that the Council will only grant planning permission for the loss of shopping floorspace where alternative shopping is available within walking distance. The site is however located within walking distance of shops on Kilburn High Road. We should also acknowledge that the UDP does not specifically protect retail uses at basement level, and the existing commercial unit at ground floor will be retained. The proposals are broadly acceptable in the context of Policy R7.

The provision of new residential floorspace is a priority of the UDP, and as such the proposals are broadly acceptable in the context of Policy H1, on the basis that the new unit can meet all of the required space standards and accords with minimum daylight levels. (See residential development standard section for further analysis.)

The applicants have submitted a short assessment outlining how the unit can comply with the 16 criteria of the Lifetime Homes requirements. This is considered acceptable given the obvious constraints of a conversion scheme.

### Impact on host building and the conservation area

The construction of a lightwell is not desirable. Along this stretch of Boundary Road there are few examples of lightwells. Nos 112, 122 and 124 have basement areas surrounded by railings of various dates. The

construction of the lightwell and the corresponding railing is not considered to preserve or enhance a street scene which is characterised by flat, open frontages. The overall effect of the built fabric is proportionally harmonious alongside the wide, pedestrian friendly pavement. The introduction of another lightwell would further distort the appearance of the streetscene. The works would detract from the character and appearance of the host building and the wider conservation area. The windows and doors themselves are not considered to be detrimental to the character and appearance of the host building as they respect the window fenestration above. The works are therefore contrary to policies B1, B3 and B7 of the London Borough of Camden UDP.

### **Residential development standards**

Camden Planning Guidance specifies that residential dwellings should have an acceptable level of natural light. Where a lightwell is less than 3m deep, the glazed area should total not less than 10% of the floor area of the room. The glazing allowable in this calculation is that which is above the points of the window from which a line can be drawn upwards at a vertical angle of 30 degrees with the horizontal to pass the top of the obstruction. This test was carried out on the proposed windows and lightwell and it showed that none of the proposed glazing would have an unobstructed vertical angle of 30 degrees. Given that the lightwell would serve the main living area, the proposed unit would therefore be likely to not achieve an acceptable level of daylight and as a result would provide substandard living accommodation.

The kitchen itself does have any windows and the bedroom by a glass door. The overall outlook of the property is very poor.

It is considered that the proposed unit would provide substandard accommodation which would be detrimental to the amenity of future occupiers contrary to policies SD6 and H1.

### **Amenity of adjoining occupiers**

The proposed unit and associated lightwell would not result in a detrimental impact on the current levels of daylight, sunlight or outlook to the neighbouring properties or the flats on the upper floors. It is therefore considered to comply with policy SD6.

### **Transport**

The site has a Public Transport Accessibility Level (PTAL) of 3 (moderate). The road does not suffer from parking stress therefore, it is not considered necessary to make the dwelling car free. Therefore, if all other things were acceptable then the property would be able to apply for parking permits.

### **Construction Management Plan (CMP)**

UDP Policy T12 seeks to protect the safety and operation of the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106. However, due the scale and kind of this development and the likely method of construction a CMP is not required in order to mitigate any adverse impacts. Any occupation of the highway, such as for hoarding, skips or storage of materials, will require a licence from Highways Management and this, along with the existing on-street waiting and loading controls, should be sufficient to ensure the work is carried out in such a way as to not adversely affecting the safety or operation of the public highway.

### **Recommendation Refuse Permission**

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