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town planning

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PLANNING SUPPPORT STATEMENT

For an application which seeks permission for the
demolition of an existing car park and the erection
of a flatted residential development with associated
landscaping and basement level parking primarily associated with
the adjacent Class B1 uses at:

LAND R/O CENTRE HEIGHTS

FINCHLEY ROAD

SWISS COTTAGE

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1.0 Site and Surroundings

- 1.1 The application site, which currently accommodates a two level car park, is located to the rear of the Centre Heights building which comprises a mixture of uses and forms part of Finchley Road Primary Retail Frontage and a Major Shopping and Service Centre. The site, however, falls outside of these designated areas.
- 1.2 The area to the north east of the site comprises a mixture of uses, including Class A1 (shops), A2 (Financial Institutions) and Class A3 (food & drink) uses at ground floor level with offices and residential uses at upper floor levels. There is an office block (Swiss Terrace) to the south of the site. The site is bound by tall residential flatted developments to the southwest and northwest.
- 1.3 The site is in a very sustainable location being approximately 20 metres from Swiss Cottage Underground Station and Finchley Road which forms part of a major bus route with frequent reliable bus services.

2.0 Planning History

- 2.1 There is one planning application pertaining to the application site which is considered to be relevant. It sought permission for the erection of a three-storey office block to the rear of the site over existing two storey car park; erection of a penthouse flat at roof level; erection of two kiosks, minor alterations and landscaping. Planning permission was refused in 1990 for the following reasons:
- 1) The proposed development involves an increase in office accommodation contrary to the Councils policy to restrain the growth of such uses.
 - 2) The proposed scheme would exceed the Council's plot ratio standards for the area and is considered to be an over development of the site.
 - 3) The Councils day lighting standards are not complied with; the access of adequate natural light to adjoining premises would be prevented to the detriment of their amenities.
 - 4) The proposal would not comply with the Councils policies for the provision of car parking spaces.

- 5) The design of the proposed office development and the proposed formation of roof terraces would result in problems of overlooking, to the detriment of the amenities of adjoining residents.

3.0 Local Planning Policies

- 3.1 The policies contained within the London Borough of Camden Unitary Development Plan (UDP), which was adopted in March 2000, are considered relevant. The remainder of this statement shall assess the proposal against the relevant policies contained therein.

Residential Amenity and Environment

- 3.2 Policy RE2 states that developments are not to have an adverse impact on residential amenity, the environment and the efficiency of the transport systems.

Environmental Quality

- 3.3 Policy EN1 relates to general environmental protection and improvement and states that the Council will seek to ensure that developments do not have an adverse impact on the quality of the wider environment.

Design, Scale and Setting

- 3.4 Policy EN13 states that the Council will encourage high standards of design.
- 3.5 Policy EN14 states that new developments should be sensitive to, and compatible with the scale, and character of the surroundings. Consideration needs to be made of the bulk, massing, height, footprint, typical plot size and the relationship with surrounding buildings.

Amenity for Occupiers and Neighbours

- 3.6 Policy EN19 states that the Council will seek to ensure that there is no loss of privacy, daylight and sunlight into and between properties and that there is no unacceptable degree of visual intrusion.

Re-use of Existing Car Parks

- 3.7 Policy TR13 states that the Council will support appropriate development proposals to convert existing car parks where genuine operational business users do not require the private non-residential parking spaces.

Housing

- 3.8 Policy HG10 states that a residential density of 70 – 100 dwellings per hectare would be acceptable but goes on further to state that higher density standards may be permitted at locations within or close to Major and District Centres and public transport nodes.
- 3.9 Policy H12 states that, to ensure standards for visual privacy and overlooking are maintained; the Council will normally seek a minimum distance of 18 metres between windows of habitable rooms.
- 3.10 Policy HG16 relates to housing mix in schemes for new residential development and states that the Council will seek to ensure a mix of housing types and sizes where they are best suited to the individual site conditions and locality.

Parking Standards

- 3.11 Policy TR12 states the Council will endeavour to deter non-essential vehicle trips by controlling the supply of private non-residential parking space.
- 3.12 Policy TR16 states that the Council will encourage car-free housing developments in locations that are easily accessible by public transport and where there is a range of amenities, including shops and leisure activities.

4.0 National Planning Policy Guidance

PPG1: General Policy and Principles (1997)

4.1 PPG 1 states, at paragraph 40, that planning applications and appeals should be determined in accordance with the development plan, taking into account whether the proposed development would cause demonstrable harm to interests of acknowledged importance.

4.2 The guidance continues to mention that development should be of a good design and should carefully consider the wider setting of buildings and the appearance and treatment of the spaces between and around buildings.

PPG3: Housing (2000)

4.3 PPG 3 states that more sustainable patterns of development should be achieved and that this could be through concentrating additional housing within urban areas, making more efficient use of land by maximising the re-use of previously developed land and the conversion or re-use of existing buildings.

4.4 Paragraph 54 goes on to address issues of design and indicates that good design and layout of new development can help achieve government objectives of making best use of previously developed land and improving the quality and attractiveness of areas. Local planning authorities and developers should think imaginatively about designs and layouts that make more efficient use of the land without compromising the quality of the environment.

4.5 The guidance also states that all new developments should not be viewed in isolation from their landscape and surroundings and that the design and layout should have regard to any immediate neighbouring buildings, streets and spaces.

PPG13: Transport (PPG13)

4.6 PPG 13 states that housing developments should be located where they are accessible by public transport, walking and cycling and are in close proximity to jobs, education and health facilities, shopping and leisure facilities. All developments should reduce the need to travel

by private car and encourage, where travel by car is necessary, that journeys are linked or for multi-serve purposes.

5.0 Planning Assessment

- 5.1 When considering an application of this nature I consider the key considerations that need to be assessed against local and national planning policy are those relating to the re-use of existing non-residential car parks, housing, residential amenity and design. I shall address each of these issues in turn.

Re-Use of Car Park

- 5.2 The proposal seeks permission for the demolition of an existing private non-residential car park to enable the erection of a flatted development and a more modest non-residential car park at basement level.
- 5.3 Policy TR13 states that the Council will support appropriate proposals that result in the redevelopment of existing car parks where genuine operational business users do not require the spaces. The office tenants and a small number of the retailers currently use the car park. The spaces that are used are let on licence and do not benefit from any protected rights for continued use. All of these spaces are not required by the operational users as the site is located close to public transport facilities, which majority of the staff members tend to use. The proposed demolition of the existing car park is in accordance with Policy TR13 and as such is considered to be acceptable in principle. The delivery areas to the rear of both would also remain unchanged and as such the operational needs would still be satisfied and remain unchanged.
- 5.4 Furthermore the proposal to include a more modest sized non-residential car park at basement level would be in compliance with Policy TR12 as it would reduce and control the supply of non-residential car parking provisions without detrimentally affecting the operation of the businesses. This control over supply can be achieved by virtue of the fact that both the above-mentioned buildings are in such close proximity to public modes of transport.

Housing

- 5.5 The proposal would result in a flatted development with a density of approximately 265 units per hectare. Although this is above the residential density stated in Policy HG10, the policy goes further to state that higher density standards may be permitted at locations within Major Centres and in close proximity to public transport nodes. The application site is in close proximity to a public transport node and adjacent to a Major Centre. Moreover, the proposal is in full compliance with the density standards set out in the Draft London Plan which states that densities of 240-435 and 165-275 units per hectare in central and urban areas respectively will be considered acceptable. The application site, in my opinion, is located within a central area and is considered to be of an acceptable density. Even if the Council were of the view that the site was in an urban area the proposal would still comply with the guidance set out in the London Plan. The proposed development would also have a density similar to the flatted developments immediately adjacent to the site and would therefore considered to be in keeping with the densities in this area.
- 5.6 PPG3 encourages high-density residential developments on previously developed land where its occupants would be in close proximity to a range of goods and services and where it has good access to public transport facilities. The proposal would satisfy the above criteria. In addition, it would enable maximisation of the use of a site sustainable Brownfield site without causing any harm to interests of acknowledged importance. The application site benefits from a sustainable location.
- 5.7 Notwithstanding the fact that the application satisfies the policies relating to new housing developments it would also provide a much-needed supply of a mixture of residential unit types and sizes through providing one studio, three 1x bed, nine 2x bed and one 3x bed flats. As previously mentioned, the surrounding residential area comprises higher density flatted types of development because they are appropriate on sites within this location and as such the proposal would also seek to provide a flatted development. The mix proposed is done so having had regard to the attributes and constraints of the site. The proposal is considered to be in compliance with the advice set out in Policy HG16, PPG3 and PPG13.

Residential Amenity

- 5.8 The proposed development has been stepped down from six to four storeys to avoid any loss of daylight and sunlight to the adjacent residential developments. The BRE Sunlight & Daylight Report by Schatunowski Brooks (enclosed) confirms that the proposed development would be in full compliance with Policy EN19 and that there would be no adverse impacts.
- 5.9 With regard to the issue of visual privacy and overlooking, the proposal would not result in any windows of habitable rooms being within 18 metres of one another. All windows of habitable rooms are approximately 25 metres from each other. The proposal is therefore in full compliance with Policy HG12.
- 5.10 In addition, it is considered that the proposed demolition of the car park and the erection of an attractive, high quality designed residential development with associated landscaping would improve the quality of the wider environment and soften views from the existing dwelling units.

Design, Scale and Setting

- 5.11 The application scheme would be of a high standard of design, sensitive to and compatible with the scale of its surroundings. The bulk and massing of the proposed development would be less obtrusive than the surrounding buildings. This reduced bulk and massing would be achieved by stepping both the height and the footprint of the building. In addition, a variety of materials and significant amounts of glass will assist in reducing the perceived bulk of the proposal. The mono-pitch roof breaks views of the large Centre Heights building from the flatted development to the south west of the application site whilst the soft landscaping around the building will assist in creating a more attractive central urban environment and more privacy for the proposed ground floor units. The proposal is in accordance with Policies EN13 and EN14.
- 5.12 Further details highlighting the merits and rationale behind the proposed design are set out in the enclosed Design Statement prepared by Tasou Associates.

Transport

- 5.13 The proposal accords with the guidance set out in PPG 13 and Policy TR16 which encourages car-free high density housing developments to be located where they are accessible by public transport, walking and cycling and are in close proximity to jobs, education and health facilities, and shopping and leisure facilities.
- 5.14 The proposal would seek to provide one space for the residential penthouse whilst the remainder 15 parking spaces would provide a controlled number of non-residential parking spaces and enable the smooth running of the associated businesses without encouraging the use of private cars and less sustainable modes of transport.
- 5.15 The proposal would also provide a cycle parking facility, which would encourage the use of bicycles which is a more sustainable means of transport. The proposal is in compliance with Policy TR22 paragraph d) which requires developers to provide adequate cycle parking facilities appropriate with the development.

6.0 Other Considerations

- 6.1 The proposal also addresses the relevant Councils concerns relating to the previous planning application as set out in the reasons for refusal. The reasons for refusal that can be considered as relevant to this proposal are those which relate to; 1) over development of the site, 2) daylight standards not being met and 3) the loss of privacy as a result of overlooking.
- 6.2 The first issue, on over-development of the site, has been addressed in paragraphs 5.5, 5.6 and 5.11 of this report. In summary, it is considered that the proposed development would be of a density familiar in an inner urban context and encouraged by current government and local planning policy.
- 6.3 Secondly, the enclosed BRE Sunlight & Daylight Report by Schatunowski Brooks confirms that the proposed development would not result in a loss of daylight and sunlight which could be harmful to existing amenities.

- 6.4 Lastly, the proposed development would not result in problems of overlooking, to the detriment of the adjoining residents. The distances and details illustrating that there would be no loss of privacy, as a result of the proposal, are set out in paragraph 5.9 and the enclosed Design Statement.

7.0 Conclusion

- 7.1 The proposed development would be in full compliance with all the relevant planning policies contained within the UDP and the most recent government guidance controlling residential developments on Brownfield sites within a high density, accessible urban context.
- 7.2 The proposed development would result in the creation of 14 dwelling units in a sustainable location where there is increasing pressure for additional housing. It would also result in the enhancement and softening of a visually mediocre area which currently accommodates a multi storey car park and hard surfacing. Local and government planning policy support the more controlled provision of non-residential parking spaces, which would be accommodated at basement level.
- 7.3 I am of the view that planning permission should be granted by virtue of the facts that the proposal would be of a high quality design and in compliance with both local and government planning policy.