

Delegated Report		Analysis sheet		Expiry Date:		31/03/2014	
		N/A		Consultation Expiry Date:		13/03/2014	
Officer				Application Number(s)			
Gideon Whittingham				2013/7826/P			
Application Address				Drawing Numbers			
218-228 Kentish Town Road and 10 Wolsey Mews London NW5 2AD				Refer to Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use at first and second floor levels from retail (Class A1) to residential (Class C3) at 224-228 Kentish Town Road and erection of single storey extensions at first floor level to rear of 218-228 (including 8,9 and 10 Wolsey Mews) and installation of roof terrace, to form 1 x studio, 6 x 1 bed, 1 x 2 bed and 1 x 3 bed self-contained residential units (Class C3)							
Recommendation(s):		Refuse Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	36	No. of responses	03	No. of objections	01
						No. of support	01
Summary of consultation responses:		<p>A site notice was displayed from 19/02/2014 and a public notice was published in the Ham & High from 20/02/2014.</p> <p>A letter of objection has been received, an occupier of Caversham Road commented:</p> <ul style="list-style-type: none"> • Concern of location of solar panels • Removal of storage at Pound Stretcher • Increased traffic • Increased noise related to commercial operation • Noise and dust from construction 					

	<p>2 letters of support from Wolsey Mews and Raglan Street commented:</p> <ul style="list-style-type: none"> • I support this application as it provides much needed homes, retains retail • Design is great
<p>CAAC/Local groups comments:</p>	<p>The Kentish Town Neighbourhood Forum objected to the proposal as follows</p> <ul style="list-style-type: none"> • Concern of materials proposed • Unsympathetic form and detailed design • Local Mews streets which have developed with high quality buildings include Murray Mews & Camden Mews. In common with Mews streets in other parts of London, these exhibit a focus on smaller 'elements', being an antidote to the composed facades of the Main Street frontages they are secondary structures to. • Wolsey Mews has an eaves line at two storeys high. The proposed development breaks this line, and should be encouraged to step back at the current parapet level. <p>The Bartholomew Conservation Area CAAC was notified. To date no response has been received.</p>

Site Description

The application site is to the rear of the properties at 218-228 Kentish Town Road. The properties fronting Kentish Town Road date from mid nineteenth century and feature a shop front at ground floor with two storeys above in stock brick with stuccoed mouldings. Historically to the rear there were mews houses but these have been demolished when the buildings on Kentish Town Road were extended to enlarge the retail space in the 1960s. Whilst not within a conservation area, 224-228 are however non-designated heritage assets.

The Wolsey Mews part of the site is within Bartholomew Conservation Area. Wolsey Mews is characterised by two storey buildings of varying ages interspersed with single storey buildings and open back yards. In the conservation area statement it is generally the two storey mews houses which make a positive contribution to the area. The application site features a largely blank wall which is not sympathetic to the character and appearance of the mews or the conservation area and there is an opportunity to enhance the street. The rear of 222 Kentish Town Road features the remains of what appears to be a historic mews building which has had its windows infilled with brickwork. It is built from weathered stock brick and originally had a pitched roof although this has been removed.

Relevant History

218 - 220 Kentish Town Road

2009/0303/P - Replacement of security shutters to front elevation of shop (class A1). Granted 07/04/2009.

2003/1635/P - Change of use from shop Class A1 to a licensed bookmakers Class A2. Granted 19/09/2003.

CTP/G12/12/2/10052 - Conversion of the second floor at 218 Kentish Town Road, Camden, into a three room flat. Granted 20/01/1971.

222-228 Kentish Town Road

2013/3632/P - Change of use at first and second floor level from offices (Class B1a) to residential (Class C3), with erection of a two storey extension at first and second floor level to 228 and extension

at first floor level to 222-226 and associated terrace, to form 6 x 1 bed, 2 x 2 bed and 1 x 3 bed self-contained residential units (Class C3) Withdrawn 29/08/2013.

2009/0948/P - Installation of an open roller shutter to ground floor of shop unit (class A1) (to replace existing unauthorized solid shutter). Granted 14/07/2009.

224 Kentish Town Road

2007/0735/A - Retention of externally illuminated fascia signs and one internally illuminated projecting sign to retail shop (Use Class A1). Granted 03/05/2007.

8 - 9 Wolsey Mews

2004/4251/P - Change of use from office space (Class B1a) to financial and professional service use (Class A2). Granted 25/11/2004.

Relevant policies

LDF Core Strategy and Development Policies

National and Regional Policy

National Planning Policy Framework 2012

London Plan 2011

LDF Core Strategy and Development Policies

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS7 (Promoting Camden's centres and shops)

CS8 (Promoting Camden's economy)

CS9 (Achieving a successful Central London)

CS11 (Promoting sustainable and efficient travel)

CS13 (Tackling climate change and promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity)

CS16 (Improving Camden's health and well-being)

CS18 (Dealing with our waste and encouraging recycling)

CS19 (Delivering and monitoring the Core Strategy)

DP2 (Making full use of Camden's capacity for housing)

DP5 (Homes of different sizes)

DP6 (Lifetime homes and wheelchair homes)

DP10 (Helping and promoting small and independent shops)

DP12 (Supporting strong centres)

DP16 (The transport implications of development)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and the availability of car parking)

DP19 (Managing the impact of parking)

DP20 (Movement of goods and materials)

DP21 (Development connecting to the highway network)

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)

DP28 (Noise and vibration)

DP31 (open space and outdoor recreation)

Camden Planning Guidance 2011/2013:

CPG1 Design (Section 2,3,4,5)

CPG2 Housing (Section 4,5)

CPG3 Sustainability (Section 2,3,4,5,6,9)
CPG 5 Town Centres, Retail and Employment (Section 2,3,6,7)
CPG6 Amenity (Section 4,5,6,7,8,9,11)
CPG7 Transport (Section 5,9)
CPG8 Planning Obligations (Section 3,4,5,7,10,11)

Assessment

1. Proposal:

1.1 The application proposes:

- Change of use of 1st and 2nd floor level of 224-228 Kentish Town Road from retail (Class A1), to provide 5 flats (1 x 3 bed, 4 x 1 bed), comprising 336sqm.
- No elevational alterations are proposed on the front elevation of 218-228 Kentish Town Road
- The erection of single storey extensions to the rear of 218-228 Kentish Town Road (Nos.8, 9, 10 Wolsey) comprising 217sqm, to provide 4 flats (1 x 2 bed, 3 x 1 bed). The extensions would be clad in a light grey panel with aluminium windows, with brickwork below. The rear wall to No 222 would form the entrance to the development and for access to the waste and recycling bin area and the bicycle storage area.

1.2 The principal considerations material to the determination of these applications are summarised as follows:

- **Land use**
- **Standard of accommodation and Lifetime homes standards**
- **Character and appearance of the local streetscape**
- **Adjacent residential amenity**
- **Sustainability - resources and energy**
- **Transport, access and parking**
- **S106 / Other Matters**

2. Land use

2.1 The application site is located within the Core Retail Frontage of the Kentish Town Centre. There is a general policy presumption in favour of protecting retail uses throughout the Borough's town centres in order to serve the needs of residents, workers and visitors.

2.2 Policy CS7 seeks to protect and enhance the role and unique character of each of Camden's town centres and in doing so seeks to protect and promote small and independent retail shops. The LDF Core Strategy provides centre specific planning objectives for each of the Borough's town centres.

2.3 Policy CS7 is supported by policy DP12 which seeks to support strong centres and manage the impact of food, drink, entertainment and other town centre uses. In doing so, it states that consideration will be given to effect of non-retail development on the shopping provision and the character of the centre in which it is located.

2.4 Camden Planning Guidance 5 (Town centres, retail and employment) explains retail uses will be protected along Core Shopping Frontages, namely at ground floor levels and not upper floor levels. The net loss of shopping floorspace (A1) will be resisted. The exception to this will be where the Council considers that such a loss will not cause harm to the character, function, vitality and viability of the centre and the new use meets other objectives of Camden's Core Strategy.

2.5 The nature of the 218-228 Kentish Town Road and 8, 9 and 10 Wolsey Mews a mix of commercial and residential uses. The ground floor of 218-220 Kentish Town Road (including 8 & 9 Wolsey Mews) are in commercial use, whilst the upper floors are separated into a number of flats. The ground floor of 222 Kentish Town Road is in commercial use, whilst the rear (10 Wolsey Mews) and the upper floors

are separated into a number of flats. The ground, first and second floor levels of 224-228 Kentish Town Road is solely in commercial use.

2.6 In assessment of policy DP12 and CPG 5, the proposal would not result in the loss of retail floorspace in the Kentish Town Area Core Frontage. The proposal would however result in the loss of 302sqm of retail floorspace at upper floor level.

2.7 Whilst the thrust of policy DP12 and CPG5 would resist the loss shopping floorspace within a designated area such as this, the retained ground floor level area of 422sqm, by virtue of its size would not significantly impinge the existing retail operator from their day to day operations as a retail unit. Therefore the proposal would not significantly impinge the character, function, vitality or viability of the centre or local area and the new use, residential, meets a priority land use of Camden's Core Strategy.

2.8 In line with LDF policies CS6 and DP2, the principle of providing residential accommodation at the site is considered appropriate, by way of maximising the supply of additional homes within the borough.

3 Standard of accommodation and Lifetime homes standards

3.1 The proposal would provide 9 flats, 1 x studio, 6 x 1 bedroom units, 1 x 2 bed units and 1 x 3 bedroom unit located at the upper floor levels of 224-228 and the rear of 218-228 Kentish Town Road (inc 8, 9 & 10 Wolsey Mews). All of which would be accessed via a communal stairway from Wolsey Mews.

3.2 The Council acknowledges that there is a need and/or demand for dwellings of every size, however Camden will focus and prioritise provision around the very high and high priority sizes. Set out in Policy DP5, the Dwelling Size Priorities Table identifies market homes with 1 bedroom of low priority, 3 and 4 bedroom units of medium priority and 2 bedroom units very high priority. The Council would also expect at least 40% of market housing to provide 2 bedroom units. The proposal would therefore fail to comply with LDF policies in this instance, providing 66% of studio or 1 bed flats and just 11% of 2 beds.

3.3 The applicant has submitted a Lifetime Homes statement. The proposal largely complies with the Lifetime Homes criteria, however the constraints of the site, in particular the inability to provide a parking space in close proximity to the site, restrict compliance with, inter alia, criteria Nos.1 and 2, whilst 3 cannot be complied with as the flats are at upper floor level and no lifts are proposed. In the context of those constraints, it is considered that the proposal adequately meets all applicable standards and the requirements of policy DP6.

3.4 In accordance with CPG2 Housing, all habitable rooms would feature minimum headroom of 2.3m.

3.5 The Council also has set minimum space standards to ensure rooms are large enough to take on varying uses. Space standards relate to the occupancy of a home rather than number of bedrooms and the developer will be required to state the number of occupants each dwelling has been designed to accommodate. The occupancy of housing at the time of its first occupation is not a reliable prediction of future levels of occupancy over the lifetime of a home. The only sensible assessment of occupancy is therefore the designed level of occupancy.

3.6 The internal arrangement of flats at 224-228 Kentish Town Road would be 1 x 3 bedroom flat at first floor level (82sqm), 1 x 1 bedroom flat at first floor level (48sqm) and 3 x1 bedroom flats at second floor level (48sqm, 42sqm and 42 sqm).

3.7 The internal arrangement of flats to the rear of 218-228 Kentish Town Road (inc 8, 9 & 10 Wolsey Mews) would be 1 x 1 bedroom flat at first floor level (50sqm), 1 x 1 bedroom flat at first floor level (50sqm) and 1 x 2 bedroom duplex flat at first floor level (83sqm) and 1 x studio at first floor level

(32sqm). All of these units would enjoy dual aspects.

Flat No.	Bedrooms/Persons	Floorspace (GIA sqm)	CPG	London Plan
1	3/5	82	84	86
2	1/2	42	48	50
3	1/2	48	48	50
4	1/2	42	48	50
5	1/2	48	48	50
6	1/2	50	48	50
7	1/2	50	48	50
8	2/4	84	75	70
9	Studio/1	32	32	37

3.8 Whilst flats 6, 7 and 8 would comply with the minimum floorspace requirements according to the CPG and London Plan standards, the majority of flats (Nos.1, 2, 3, 4, 5, 9) would fail to comply with either the minimum floorspace requirements according to the CPG or the London Plan standards.

3.9 Self-contained flats providing a floorspace below the minimum standards may be considered in exceptional circumstances, however their acceptability will depend on other aspects of the development proposed, such as those which benefit from good natural daylight and sunlight.

3.10 Residential developments should maximise sunlight and daylight, both within the new development and to neighbouring properties whilst minimising overshadowing or blocking of light to adjoining properties. The Council expects that all developments receive adequate daylight and sunlight to support the activities taking place in that building. All habitable rooms should have access to natural daylight.

3.11 In this instance, all of the proposed flats would enjoy dual aspect accommodation. In the absence of an assessment using 'Average Daylight Factor', which typically quantifies the level of daylight in a room (kitchen, living room and bedroom), to establish whether each habitable room will have a predominantly daylit appearance, it is considered the levels of daylight to the proposed units would be adequate.

3.12 Whilst the units would provide adequate access to daylight and an outlook, it is considered these elements are not exceptional so as to outweigh the flats well below minimum floorspace standards, particularly those of a low priority to Camden's housing stock, contrary to policy CS6 and DP5.

3.13 It should also be noted, matters of mutual overlooking as a result of the proposal are covered in section 5 of this report.

4. Character and appearance of the local streetscape

Local Listing

4.1 First introduced by Planning Policy Statement 5: Planning for the Historic Environment (PPS5) in 2010, the concept of a non-designated heritage asset was carried thorough onto the National Planning Policy Framework (NPPF) in 2012.

4.2 The glossary of the NPPF describes an heritage assets as:

'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).'

4.3 Paragraph 135 of the NPPF (Chapter 12 - Conserving and enhancing the historic environment) notes:

'The effect of an application on the significance of a non-designated heritage asset should be taken

into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

4.4 Some parts of Camden's historic environment are already well documented and protected through designation (e.g. listed buildings). A Local List contains elements of the historic environment that are not already designated but which nonetheless contribute to a sense of place, local distinctiveness and civic pride. These are known as 'non-designated heritage assets'. These features help make a place special for local people; they carry history, traditions, stories and memories into the present day and add depth of meaning to a modern place. They help give Camden its distinctive identity.

4.5 Camden's draft Local List has been produced following a period of public consultation inviting nominations (between November 2012 to January 2013), extensive officer survey, research and assessment by conservation and planning officers. All nominations for the Local List were assessed against the adopted Selection Criteria (see Camden Planning Guidance 1: Design) and based on English Heritage's The Good Practice Guide to Local Heritage Listing, before being presented to our Local List Selection Panel in May 2013.

4.6 Although not yet subjected to their final examination by a Planning Inspector, Camden's draft Local List presents a clear indication this Authority is intending to pursue, with particular regard to conserving and enhancing the historic environment and the aims of the NPPF. The draft Local List has reached such a stage in their preparation that they are to be taken into account as material considerations in planning decisions, supplementing the policies of the Local Development Framework.

Significance of 224-228 Kentish Town Road

4.7 Nos. 224-228 Kentish Town Road (as well as Nos.204-208 Kentish Town Road) forms two sections of mid 19th century 3 storey terrace in grey brick with detailing in stucco, separated by later 20th century buildings. This terrace lacks the boldness of its neighbour to the north (234-248), and has suffered by the insertion within the terrace of two unsympathetic red brick buildings. However, these buildings still have architectural quality, make a good contribution to the townscape and reinforce the historic context for the terrace to the north and for Bartholomew Estate Conservation Area to the east. These buildings are therefore identified in the draft Local List as having both architectural and townscape significance.

Condition of 224-228 Kentish Town Road

4.8 Although some features have since been lost, the rear obscured with roller shutters and blank frontages as a result of the commercial use at ground floor level, these could be easily be reinstated and their removal has not diminished the significance of the buildings to an appreciable degree. In terms of its condition, the building was predominantly occupied at the time of inspection and appeared in reasonable condition. Whilst works of maintenance may be required these did not appear to be beyond what would be required for any building of this period and no evidence has been provided that the structure of the building is in such a condition that the building requires demolition as a result of its unviable retention/restoration. In terms of materials, style and detailing they undoubtedly contribute to the townscape and play a key part in supporting the local neighbourhood.

Proposed extensions

4.9 Chapter 7 (Requiring good design) of the NPPF outlines the importance of good design to the built environment. Paragraph 58 outlines a number of criteria that planning policies and decisions should aim to ensure of developments. Of most relevance in this case are those sections which relate to local distinctiveness, character and integration of development into the built environment in that the proposal should aim to "respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation".

4.10 Supporting paragraph 14.7 of the LDF states that "high quality design also takes account of its surroundings and what is distinctive and valued about the local area". It also states that "the council

will therefore expect the design of buildings and places to respond to the local area and its defining characteristics and reinforce or, if appropriate, create local distinctiveness”.

4.11 Within the Development Policies document policy DP24 specifically covers design whereby “the Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design”. Aspects such as “character, setting, context and the form and scale of neighbouring buildings” will be considered.

4.12 The proposed design of the first floor rear extensions are an unconvincing and disjointed response for the site which seeks to minimise works. Simply placing accommodation at first floor level does not create a mews house. Mews houses have a single cohesive façade, often featuring garage doors at ground floor level.

4.13 The existing ground floor consists of two different types of brickwork and varying accretions such as roller shutters. Additional floors in a different design and in a brick which will inevitably contrast with part of the existing will only create a disjointed patchwork of development which does not respect either the mews it sits in or the buildings behind.

4.14 The proposed first floor makes a sudden jump between 220 and 222 Kentish Town Road. Whilst mews generally have a variation in their appearance and proportions these differences are usually quite subtle. In contrast the disparity here of both fenestration and parapet height is jarring and accentuates the disjointed appearance of the proposals.

4.15 Historically mews buildings were usually related to a town house behind and therefore were the same width as that building. As the proposed units have been designed as flats spread laterally rather than a mews house they do not relate to the plot widths of the buildings behind or the predominant plot widths still evident in Wolsey Mews. Rather they spread arbitrarily across historic plot boundaries with incongruous gaps between each unit.

4.16 The existing features of the rear elevation which detract from the area such as the roller shutters and blank frontages have not been resolved by the proposal and in extending the brickwork upwards the impact of the dead frontage will only be worsened.

4.17 Within this context, the erection of single storey extensions at first floor level to the rear of 218-228 Kentish Town Road would result in harm to the significance of a non designated heritage asset which contributes positively to the character and appearance of the local streetscape. The first floor rear extensions would be of insufficient design quality and inappropriate height, bulk and massing, contrary to policy CS14, DP24 and DP25.

5. Adjacent residential amenity

Privacy

5.1 Core Strategy policy CS5 and Development Policy DP26 seek to ensure that the residential amenity of neighbouring properties is protected, particularly with regard to daylight and sunlight, outlook and privacy.

5.2 The rear elevation of 218-228 Kentish Town Road comprises primarily windows which service habitable rooms at each floor. The flank elevation of No.1 Caversham Road is also served by habitable rooms.

5.3 As a result of the proposal, the rear extensions to the rear of 218-228 Kentish Town Road would introduce windows facing both the above buildings, at a distance of 7m-8m respectively.

5.4 Introducing a greater potential for close distance mutual overlooking, resulting in a loss of privacy to the occupiers of each building would be contrary to CPG6 (Amenity) and DP26 (Managing the impact of development on occupiers and neighbours). To ensure privacy, there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face

each other.

5.5 With regard to No.1 Caversham Road, whilst terraces and windows formed as a result of the proposal would be within 7m distance; this would exist across a public highway that would currently allow a degree of overlooking from pedestrians. This must be considered differently if the overlooking was across a private space however. This 7m across a public highway is a relationship that is commonplace across central London and particularly mews developments. In this instance there can be a reasonable justification to depart from the prescriptive requirement of 17-18m in this instance.

5.6 With regard to 218-228 Kentish Town Road, the proposal would introduce an environment of mutual overlooking, between those residential flats existing and proposed within the terraced houses along 218-228 Kentish Town Road and the extensions built at first floor level along Wolsey Mews. The facades would be set 7m from each other, separated by a courtyard/terrace and green screening. Whilst a distance of 7m is commonplace in central London, the full access to the courtyard and windows which look out upon it would compound matters of privacy to all existing and proposed occupiers at 218-228 Kentish Town Road. The proposed courtyard, which could accommodate a significant number of people, in addition to its proximity to windows in the adjacent properties would cause noise nuisance to neighbours, especially during periods of fine weather when the terrace is most likely to be used and when neighbours would be most likely to want their windows open. The proposal would therefore result an unacceptable material increase in overlooking, associated noise and disturbance to the adverse harm of the neighbouring existing and proposed properties.

Sunlight / Daylight

5.7 The Council will carefully assess proposals that have the potential to reduce daylight and sunlight levels for existing and future occupiers. In the absence of an assessment using either Vertical Sky Component (VSC); Daylight Distribution or Average Daylight Factor (ADF) to establish the impact of the proposal upon in terms of *Sunlight / Daylight* upon adjacent properties, it is considered the levels of daylight to the proposed units would be adequate and comply with guidance forming part of CPG6 (Amenity) and DP26 (Managing the impact of development on occupiers and neighbours). Although the height of buildings would be increased alongside Wolsey Mews, a distance maintained between No.1 Caversham Road and 218-228 Kentish Town Road would not see a loss of daylight to those windows and rooms.

Overshadowing of neighbouring amenity space

5.8 The results of the shadow analysis submitted indicate that the development will have a negligible effect on these spaces in terms of sunlight and overshadowing.

6. Sustainability - resources and energy

6.1 In line with Policy DP22, this application requires:

- New units of this floorspace and number (217sqm / 4): to meet Code for Sustainable Homes Level 4. Camden's CPG also goes beyond these requiring a minimum 50% score in the energy, water and materials.
- Conversions and changes of use of this floorspace and number 336sqm / 5): to meet BREEAM for Domestic Refurbishments 'excellent' rating. Camden's CPG also goes beyond these requiring a minimum 60% score in the energy and water with 40% in materials.

6.2 A Code for Sustainable Homes assessment has been submitted for the new residential units at first floor level to the rear of 218-228 Kentish Town Road. It indicates 'Level 4' can be achieved and that the minimum scores in the energy (74%) water (66%) and materials (54%) sub-categories can be achieved.

6.3 A BREEAM for Domestic Refurbishments assessment has been submitted for the new residential units at upper floor level sat 224-228 Kentish Town Road. It indicates 'excellent' rating can be achieved and that the minimum scores in the energy (69%) water (70%) and materials (64%) sub-

categories can be achieved.

6.4 A Section 106 Legal Agreement would secure a commitment to meet Level 4 of the Code for Sustainable Homes and BREEAM for Domestic Refurbishments 'excellent' rating, as indicated in a pre-assessment and post-construction review. In the absence of such a legal agreement a reason for refusal is recommended.

7. Transport, access and parking

7.1 The application site has a PTAL of 6a, which indicates that it has an excellent level of accessibility by public transport.

Car-free development

7.2 The London Plan 2011 and policy DP18 of the LDF identify that car-free and car-capped should not only be sought for housing but also for developments in general and should be secured in areas of high public transport accessibility. In accordance with Policies DP18 and DP19, all new residential units should therefore be made car-free, secured by a Section 106 planning obligation. In the absence of such a legal agreement a reason for refusal is recommended.

Cycle parking

7.3 The applicant has provided 10 cycle storage spaces located at ground floor level within 10 Wolsey Mews, accessed via Wolsey Mews complying with the residential provision as per CPG 7 (transport). The layout and number of cycle spaces could be secured by way of a condition.

Construction Management Plan

7.4 Policy DP21 seeks to protect the safety and operation of the highway network and 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 a Section 106 Agreement. The site is located on Kentish Town Road, in the centre of Kentish Town town-centre, a tightly constrained area.

7.5 It is therefore considered necessary to require the applicant to enter into a S106 legal agreement to secure the provision of a Construction Management Plan (CMP). A CMP outlines how construction work will be carried out and how this work will be serviced (e.g. delivery of materials, set down and collection of skips etc.), with the objective of minimising traffic disruption and avoiding dangerous situations for pedestrians and other road users. Had the application been able to be supported at officer level, a fully complete CMP (and not a draft as submitted) would have been secured via S106. This would have been sufficient to protect the amenity of neighbouring occupiers in this regard, as well as highway safety. In the absence of such a legal agreement a reason for refusal is recommended.

Refuse/waste

7.6 The proposal would provide a refuse area solely for the residential flats proposed, located at ground floor level within 10 Wolsey Mews. The layout and provision therein could be secured by way of a condition.

8.S106 / Other Matters

Open space contribution

8.1 Camden's planning policy requires the provision of 9 sq m of open space per person for residential developments providing 5 or more additional dwellings and this will initially be expected to be provided on site. Where it is not possible to provide this open space provision on site the preferred option would be to provide suitable open space off-site. If either of the above is not practical a financial contribution to open space will be acceptable. The financial contribution is based on a proportion of the capital cost of providing new open space, which amounts to £55 per square metre.

8.2 Calculated in accordance with CPG6 formula, it is not practical to provide on-site open space, therefore the contribution is £9,340 and is required towards the provision of or improvements to public

open space in the area, which includes maintenance costs over a five-year period. This would be secured by s106. In the absence of such a legal agreement a reason for refusal is recommended.

Education contributions

8.3 The proposed development, which includes the provision of 9 additional residential units, is likely to place an increased burden on educational facilities in the area. It is therefore recommended that a contribution of £8,535 be made towards the provision of educational infrastructure, minus the existing provision, in accordance with Camden's Planning Policy and Section 21 of Camden Planning Guidance. In the absence of such a legal agreement a reason for refusal is recommended.

Community Infrastructure Levy

8.4 The proposal will be liable for the Mayor of London's CIL Based on the Mayor's CIL charging schedule and the information given on the plans the charge is likely to be £10,580 (217sqm x £50). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index. It is noted that there is a limited degree of inaccuracy in the scale of some drawings and that the ultimate contribution would be dependant upon verification of the exact increase in floorspace.

9.CONCLUSION

9.1 Planning permission is to be refused for the following reasons:

- The erection of single storey extensions at first floor level to the rear of 218-228 Kentish Town Road would result in harm to the setting of a non designated heritage asset which contributes positively to the character and appearance of the local streetscape. The extensions would be of insufficient design quality and inappropriate height, bulk and massing.
- The proposed flats by reason of their size below minimum standards and overlooking between flats would cumulatively result in sub-standard accommodation and be harmful to the amenities of future occupiers.
- The erection of single storey extensions at first floor level to the rear of 218-228 Kentish Town Road by reason of their location and proximity results in a loss of privacy to the occupiers at first and second floor level of 218-222 Kentish Town Road.
- Lack of S106 for CFSH and BREEAM design stage and post construction reviews*
- Lack of S106 open space financial contribution*
- Lack of S106 education financial contribution*
- Lack of S106 for car-free development*
- Lack of S106 for Construction Management Plan*

9.2 The matters which include an asterisk* would have been secured via s106 legal agreement; hence an informative on the decision notice will state that, without prejudice to any future application or appeal that these reasons for refusal could have been overcome by entering into a Section 106 Legal Agreement for a scheme that was in all other respects acceptable.

Recommendation: Refuse Planning Permission