

Address:	41 Fortress Road London NW5 1AD		10
Application Number:	2013/3877/P	Officer: Neil McDonald	
Ward:	Kentish Town		
Date Received:	21/06/2013		
Proposal: Reconfiguration and extension of existing building retaining existing gabled facade (currently arranged as 3 self contained flats) to provide 2 x studios, 3 x 1-bed, 3 x 2-bed and 1 x 3-bed self-contained flats; following demolition of the existing 3-storey rear extension and replacement with a 5 storey extension including new basement. (Class C3).			
Drawing Numbers: Existing: (prefix J22_12_) B/1 r1, G, E1, E2, E3 R1. Proposed: (prefix 394-A-) 001D, 002C, 003A, 004D, 005 D, 006D, 007E, 008D, 009B, 011B, 012A, 013B, 014A; 342-B-021A, Specification for D300 Contemporary Cycle Stand -300MWH. Supporting documents: Design and Access Statement Rev A by Ko Architects dated October 2013; Sustainability Statement (incl. BREEAM Domestic Refurbishment) by SRE dated 15.10.2013; Basement Impact Assessment Report by Knapp Hicks dated October 2013; Heritage Statement by Heritage Collective dated June 2013; Daylight assessment by Herrington dated June 2013; Structural feasibility report by WG Hall Associates dated 23 May 2013.			
RECOMMENDATION SUMMARY: Grant subject to a Section 106 Legal Agreement			
Applicant:		Agent:	
Mr M Tabarrok 43 Overstone Road Hammersmith London W6 0AD		Ko and Partners Architects Unit 6 1-3 Upper Richmond Road London SW15 2RF	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (GIA)
Existing	C3 Dwelling House		278 m ²
Proposed	C3 Dwelling House		504 m ²

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	Flat/Maisonette			3						
Proposed	Flat/Maisonette	5	3	1						

OFFICERS' REPORT

Reason for Referral to Committee: This application is reported to the Development Control Committee as it involves the creation of more than 5 residential units [Clause 5(iii)].

1. THE SITE

- 1.1 The site is a 3-storey (lower ground, upper ground and first floor) detached residential building located on the west side of Fortress Road. The building is in use as 3 x 3-bed flats arranged one flat per floor.
- 1.2 The site adjoins a 4-storey building of recent construction (39 Fortress Road) which has two additional basement levels and which occupies the site of the former Kentish Town Methodist Church demolished in 2000. The application building is associated with this church, probably as a vicarage. Following development pressure for the demolition of this building also, an Article 4 was served preventing its demolition under permitted development rights and was confirmed in April 2012. The officer report recommending the Article 4 direction noted that the building was considered to constitute a 'non-designated heritage asset'.
- 1.3 To the north of the site is a closely neighbouring end of terrace property, 43/45 Fortress Road which has overlooking windows in the flank wall, mainly at the upper storey (2nd floor) level. To the west of the site is a large modern building providing residential care for substance misuse patients, which is accessed from Burghley Road.
- 1.4 The site is not within any conservation area and the building is not listed. However there is a row of terraced houses on the opposite side of the road (Palmer House, No.s 44-98 Fortress Road) which are all Grade II listed early 19th century buildings.

2. THE PROPOSAL

- 2.1 The application follows on from a history of schemes to extend, alter, or demolish the existing building (see history below). The permission granted in 2012 has not been implemented and this latest scheme has emerged following the site having passed into new ownership.
- 2.2 The scheme now proposed entails the reconfiguration and extension of the existing accommodation (currently 3 x 3-bed units) to provide a new mix of 3 x 1-bed, 3 x 2-bed and 1 x 3-bed self-contained flats.
- 2.3 The physical alterations will entail the demolition of the existing 3-storey rear extension which would be rebuilt to incorporate a new basement. A gabled roof would also be added to this to provide a total of 5-storeys of living accommodation at the rear of the building. The proposed basement would extend the short distance to the rear boundary and incorporate a lightwell to one side providing a small amenity space and natural daylight to serve the proposed flats.

- 2.4 To the front of the application building the existing gabled façade would be restored and the majority of the original built structure behind it retained. Internal works of conversion would utilise the existing gabled roof space providing a total of four floors of accommodation in this front portion of the building.
- 2.5 The existing first floor side extension is proposed to be replaced with a new side extension infilling the existing gap between the application building and the flank of the neighbouring building at 43-45 Fortess Road from lower ground to first floor levels. A new entrance to the building will be incorporated as part of this at the ground floor level. The existing main raised ground floor entrance and steps will be retained as the entrance to the ground floor studio flat and the existing entrance in the front lightwell will provide the lower ground floor 1-bedroom flat with its own access. Internally a new lobby and stairwell will be created giving access to the remaining flats at all levels.
- 2.6 The retained front façade is proposed to be restored to its original condition with the existing gable wall reconstructed reusing the existing bricks. The existing timber windows would be replaced with new timber sash windows to the original glazing pattern. All other aspects of the front façade would remain as existing.
- 2.7 The work to the rear is proposed to be constructed in brickwork to match the existing but will contain more modern elements such as composite aluminium windows and glazed gable feature.

Revisions

- 2.8 Other than minor internal changes to address lifetime homes criteria, there have been no revisions to the proposals during the course of the assessment. However additional information was provided in response to officer requests relating to the following:
- basement impact assessment
 - context section drawings
 - revised floor plans to address Lifetime Homes requirements
 - revised design and access statement incorporating commentary to address current Lifetime Homes criteria
 - supplementary information on refuse storage and cycle parking
- 2.9 Due to the submission of the basement impact assessment in particular, it was decided by officers to re-consult with adjoining occupiers on the revised information.

3. RELEVANT HISTORY

- 3.1 2012/0304/P – GRANTED 15/08/2012 - Extensions including a rear lower ground to first floor level infill extension and ground and first floor side extension, insertion of a window at second floor level in rear gable and conversion of roofspace with insertion of 4 new rooflights to provide additional living accommodation including provision of a new self contained 1-bedroom flat at second floor level (Class C3).

- 3.2 2011/1978/P – REFUSED 03/11/2011 - Erection of a 4 storey residential building with 1 x 1 bed and 1 x 3 bed units at lower ground floor, 2 x 2 bed units at ground floor, 2 x 2 bed units at first floor and 2 x 1 bed and 1 x studio at second floor level, following demolition of existing 3 storey residential building (Class C3). (Reasons: 1- loss of the existing building which is considered to be a non-designated heritage asset; 2 – deficient design of the replacement building; 3 – substandard accommodation due to smallness of some the units; 4 - lack of a level access approach; 5 - sunlight and daylight impact to the adjoining residential premises; 6- 12 various S106 related reasons).
- 3.3 An Article 4 was served simultaneously with the refusal of the above application removing permitted development rights for the demolition of the existing building at 41 Fortress Road. This was subsequently confirmed on 26/04/2012.
- 3.4 2006/5708/P – REFUSED 24/07/2007 - Erection of a roof extension and a two storey side extension in association with a change of use from 3 flats to 6 flats (C3). (Reasons: 1 – incongruous design; 2 – absence of s106 for car-free; 3 – lack of cycle parking). Appeal dismissed 01/07/2008. Inspector commented that the distinctive character and prominent appearance of the appeal property, which is emphasised by the frontage gap between Nos. 41 and 43/45, is a positive feature in the street scene. It adds variety and interest and unlike many neighbouring properties, its frontage has retained much of its visual and historic integrity. The design of the roof extension would cause the loss of the distinctive existing gable and the symmetry of the frontage undermining the visual and historic integrity of the existing building. The closing of the gap between the buildings would further remove the symmetry and individual prominence of the building. The Inspector went on to support the need for a car-free s106 and found that the failure to provide proper cycle parking facilities when there was nothing in terms of the form of the building and its relationship to the highway to prevent this, would be contrary to policy. On amenity concerns expressed by neighbouring residents the Inspector found the roof extension to be sufficiently well set back to prevent any significant effect on outlook or daylight.
- 3.5 2005/3723/P – REFUSED 13/12/2005 - Addition of second floor and new roof; rear extension at ground, first and second floor levels; addition of steel stairs to north flank wall; all in conjunction with addition of one 3-bedroom flat at second floor level and one 1-bedroom flat at roof level. (Reasons: 1 – bulky gabled design of roof extension; 2 – Loss of light and outlook to windows in 43/45 Fortress Road and overlooking. Noise and disturbance from external staircase; 3 – parking stress in absence of s106 for car-free).
- 3.6 PEX0000331 – GRANTED 12/03/2001 - Change of use and conversion of building to provide 4 self contained flats together with first floor side extension and alterations to existing fenestration.

4. **CONSULTATIONS**

[Officer response given in italics where required]

Statutory Consultees

4.1 N/A

Local groups

4.2 N/A

Adjoining Occupiers

	Original	R1
<i>Number of letters sent</i>	41	41
<i>Total number of responses received</i>	4	2
<i>Number of electronic responses</i>	2	1
<i>Number in support</i>	0	0
<i>Number of objections</i>	4	2

4.3 A site notice was displayed advertising a 3 week period for comments from 9th August. Forty-one consultation letters were sent out on 6th August 2013. Following the submission of a basement impact assessment the same 41 addresses were re-notified specifying a further 2 weeks consultation from 11th October.

4.4 The initial consultation generated four letters of objection from three residents living in flats within the adjacent building 43-45 Fortress Road and one resident of the application site (41 Fortress Road). The re-consultation generated 2 further letters of objection from two of the residents of No 43/45 who had written submissions previously. Their responses are summarised below:

4.5 Original

- Two of the objectors started their submissions noting that the current plans are a welcome improvement on previous proposals for the site, but did still have a number of concerns
- The pitched roof of the extended portion would block daylight/sunlight and outlook from the flats in the top floor of No. 43/45 Fortress Road affecting a bedroom window and an eat-in kitchen.
- Velux windows in the new pitched roof will compromise privacy to flats in No. 43/45
- Increased density of accommodation is detrimental to local amenities
- Increased traffic/parking congestion
- Large windows planned for the rear will reduce privacy for adjacent flats in No 43/45 and increase noise nuisance
- Building onto the flank wall will create extra noise from the residents of No. 43/45
- Risk of subsidence from creation of a lower basement
- The construction works would cause delays and inconvenience to road users and pedestrians
- Harm to an historically significant building, the street and area as a whole
- Small sized units/inferior quality of accommodation
- Poor standards of access *[revisions have addressed lifetime homes criteria]*

- Light pollution from upward facing lighting unlike street lights which face downwards *[these are pavement lights which are designed to allow light to reach accommodation below and not a source of light themselves]*
- The new extensions rest on the flank wall of No. 43/45 for which no owner-consent has been given, and obstruct a ventilation outlet *[these are private party wall matters]*

4.6 **Revision (following submission of basement impact assessment)**

Additional points made relate to the following:-

- The basement impact assessment does not appear to have adequately considered that the site is on a slope and will affect underground water flows in the area –and consequent impact on adjoining buildings
- Possible impact of basement on tube lines believed to run underground in the vicinity
- No details of how adjacent properties would be safeguarded
- No details of how the removal of debris and other construction impacts will be managed without causing congestion on Fortress Road.

5. **POLICIES**

- 5.1 Set out below are the LDF policies that the proposals have primarily been assessed against. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

LDF Core Strategy and Development Policies adopted 8th November 2010

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS10 Supporting community facilities and services

CS11 Promoting sustainable and efficient travel

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

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

CS16 Improving Camden's health and well-being

CS17 Making Camden a safer place

CS18 Dealing with 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 housing

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

DP27 Basements and lightwells

DP29 Improving access

DP31 Provision of, and improvements to, public open space and outdoor sport and recreation facilities

5.2 **Supplementary Planning Policies**

Camden Planning Guidance (CPG)

- CPG 1 Design 2103
- CPG 2 Housing 2013
- CPG3 Sustainability 2013
- CPG4 Basements and Lightwells 2013
- CPG 6 Amenity 2011
- CPG 7 Transport 2011
- CPG 8 Planning obligations 2011

5.3 **London Plan July 2011**

5.4 **National Planning Policy Framework**

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 (from 27th March 2012) in determining planning applications. The NPPF replaces a number of national planning policy documents (listed at Annex 3 of the NPPF).

6. **ASSESSMENT**

6.1 The principle issues for consideration are considered to relate to the following:

- Scheme mix
- Standard of accommodation
- Design/building conservation
- Amenity
- Basement impact
- Transport
- Sustainability
- Planning obligations
- Community Infrastructure Levy

Housing mix

6.2 The internal layouts of the building have been altered and modified over a number of years including the addition of a large 3-storey extension in approximately the 1930s. The building is currently used as a residential flat to each floor. However the layout is poor with many changes of level impeding accessibility within the units. An inspection of the private rented accommodation by the Council's Environmental Health Officers was followed by the serving of notices in 2010 requiring various measures to improve the living conditions of the building such as including thermal insulation to the external walls and upgrading for fire detection and resistance. Some but not all of these measures are believed to have since been carried out by the new owner.

(sqm)	32	48	61	75	75	84	93	84	93
London Plan 2011 (sqm) (flats)	37	50	61	70	74	86	95	90	99

- 6.9 The submitted sunlight and daylight assessment confirms that all units would meet the Building Research Establishment's minimum recommended average daylight factor (ADF) for new-build homes, apart from kitchens which according to the standards should normally achieve 2% (higher than the 1.5% required for living rooms) and the open plan living room/kitchen of flat 6 (front lower ground floor) which achieves 1.4%. This is considered acceptable for a conversion scheme in an inner urban context.
- 6.10 The flats also offer improved levels of accessibility compared with the existing arrangement of the building. As a conversion scheme working with an existing building, it has not been possible to fully achieve all the relevant lifetime homes criteria, however officers have identified scope for improvements over and above the originally submitted scheme. The plans have now been revised with changes to address the following:
- The approach to the main entrance has been changed to provide a level external landing & weather protection;
 - The main communal stair has been enlarged to accommodate handrails;
 - All the internal doorways and hallways have been reviewed to address the required dimensions
 - Bathroom layouts adapted to meet the current standards
- 6.11 In the light of the amendments the proposal is now considered to comply or largely comply with at least 12 of the 16 criteria which is considered acceptable in this instance.
- 6.12 In regard to provision for waste storage and recycling, storage bins have been provided within the front lightwell of the building which is its current location. The proposed provision is the maximum the available space would allow for although would still be less than the Council's full standard. However refuse collections from basement lightwells cannot be carried out by the Council's waste service in any case. It is acknowledged that there are many existing dwellings within Camden which would preclude the desired provision of easily accessible refuse storage due to the absence of any street level private forecourt or garden. In such cases where it is impractical to alter this situation it is acceptable for residents to bring the bins up to pavement level on days of collection. Recycling bags/containers can be stored within the units and placed outside on collection days in a similar manner. This would have to be the case for the proposed units and given the objective of preserving the existing building this is considered acceptable. An informative added to any grant of permission would advise of the need for such bags or containers to be kept clear of the street until days of collection.

Design and Conservation

- 6.13 The building is considered to constitute a non-designated heritage asset and contributes to the street scene of Fortress Road. Due to its architectural interest and

associations with the now demolished church on the site next door, it has been the subject of an article 4 direction removing permitted development rights for its demolition. The applicant has commissioned an analysis of the building's heritage value in the form of the submitted Heritage Statement. This is accompanied by a Structural Report. A survey of the property has found it to be generally structurally sound although there is bowing of the front gable requiring attention.

- 6.14 The proposal is to reconstruct the front gable and restore the remainder of the front façade thus retaining the key features of interest which contribute to the building's heritage value. The repairs and reconstruction would be carried out using the original bricks colour washed to ensure the rebuild blends in with the remainder of the elevation below. The chimneys behind the façade which are also features of character will again be retained. Windows will be replaced by double glazed sashes in timber retaining the original glazing pattern and vertical sliding opening method.
- 6.15 A new infill side extension finishes to a height approx. 0.5m below the base of the front roof gable. It is set back 1m from the original front facade adding to its subserviency.
- 6.16 To the rear the application will involve the removal of the 1930s rear extension. This is visible mainly from the care home and rear gardens of properties in Burley Road, with a small corner of this extension also being seen over the top of the Care Home roof from the public realm of Burghley Road along with the top of the rear gable and adjacent property at No.43 Fortress Road. The existing extension is considered to be of no heritage significance and is out of keeping with its surroundings in terms of height, bulk and design.
- 6.17 The replacement extension is to be constructed on a larger footprint, bringing it into line with adjacent properties, but offers a more sympathetic and high quality solution compared with the existing flat roof brick box. The proposed pitched roof of the extension forms a subservient and reflective form of the main building, entirely in keeping with the host building in terms of form and size. In order to lighten the appearance of the brick extension, the gable end of this upper level is proposed to be glazed providing a feature that allows the dominant form of the larger front gable to be followed through to the rear of the building.
- 6.18 The extension would be faced in brick to match the existing building and would make use of a variation in brick bonding to provide horizontal emphasis through the use of vertical brick bonding on bands across the floor levels. This breaks up the mass of the extension, adds visual interest and high quality detail. The original window currently visible in some views from the rear will remain, being seen alongside the new extension.
- 6.19 Therefore in conclusion, both of the extensions are considered to adequately respect the integrity of the host building and are acceptable in design terms. Furthermore the proposal to renovate the front elevation will ensure the retention of the building's contribution to the street scene of Fortress Road and the connections with the past uses of the area.

Impacts on neighbouring amenities

- 6.20 Impacts on adjoining occupiers' amenity are considered against policy DP26 which takes into account various factors including privacy and overlooking, sunlight and daylight, noise and vibration. This policy is primarily concerned with maintaining acceptable living conditions for occupiers of residential properties.
- 6.21 The proposed side extension would be set below the level of the second floor windows in the flank wall of the adjacent terrace. This would continue further back along the building line in the form of the flat roofed portion of the rear extension. Behind this rear portion the extension to the existing gabled roof would rise up to around two-thirds the height of the main roof and would partially obscure the sight-lines from the windows in the adjacent side elevation. There are 4 windows at this level which face onto No. 41. These serve existing flats within 43/45 Fortress Road. Whilst not the only source of light and outlook to the flats concerned some of these windows do serve as the sole outlook from habitable rooms (e.g. kitchen to one flat and bedroom to another).
- 6.22 There would be no discernible impact upon daylight to the adjacent windows as the apex of the pitched roofed extension is measured at only 6-degrees from the mid point of the nearest window. Building Research Establishment guidelines suggest that the impact on both daylight and sunlight is only likely to be a material consideration where an adjacent development intrudes 25 degrees or more above the horizontal. Whilst the sun may become obscured at certain times of the year below this angle, an objection solely on this basis cannot be sustained as a reason for refusal.
- 6.23 However outlook may be compromised by a development depending on its height and proximity without there necessarily being an impact on either daylight or sunlight. In this case there is considered to be a certain impact on outlook, more particularly from the kitchen in the rear top flat at No. 43/45. However due to the angling away of the pitched roof and the low skyline that would still remain, the effect would amount to little more than a loss of view to the middle distance and horizon. Whilst the existing view is undoubtedly an enjoyable benefit to this eat-in kitchen, it is not the sole outlook for the flat as the main living room faces out to the rear of the building. Therefore assessed in this context the effect on outlook is not in this instance considered to amount to a harmful sense of enclosure that could justify the refusal of planning permission.
- 6.24 Save for the above instances, no other habitable room windows are considered to be affected by the development. The building onto the adjacent flank wall is primarily a private property matter, although it is noted that a lightwell will be incorporated where there are a number of flue vents and a low level window to the ground floor retail premises of No. 43/45. Issues of noise disturbance and impacts on privacy have been raised in consultation but the likely number of additional residents are not considered to be exceptional for a site of this size and the urban density of the area generally and the new larger windows to the rear would not face on to any adjacent residential windows. Furthermore it can be readily appreciated from the additional section drawings provided during the course of the application that the proposed rooflights in the pitched roofs of the development will be

positioned at a high enough level so as not to give rise to the opportunity for overlooking.

- 6.25 The development is therefore considered to be acceptable in terms of its effects on the amenities of adjoining occupiers.

Basement impact

- 6.26 The proposed basement works would widen the area covered by the existing basement towards the boundary line with No 43/45 and back marginally towards the rear property boundary; and would add a further sub-basement level of accommodation below the basement at the rear of the property extending the remaining way to the rear boundary. The depth of the sub-basement would be 2.8 metres below the reconstructed rear basement level, which counted together would extend to a finished floor level of 5.4 metres below the adjacent highway to the front in total. The difference between the proposed basement floor level and the ground level to the rear would be 2.3m.
- 6.27 An assessment of the basement impacts of the development has been undertaken in line with policy DP27 and Camden Planning Guidance CPG4. This was submitted subsequently to the original application's structural feasibility report which although including a proposed sequence of build and underpinning of the adjacent boundary walls, did not suffice for the purposes of addressing all the relevant CPG4 criteria for assessment.
- 6.28 The assessment has been carried out by consultants Knapp Hicks & Partners who possess the appropriate qualifications in geotechnical, geological and civil engineering required by CPG4.
- 6.29 The screening process has been adopted in accordance with CPG4 based on the relevant flow charts presented in that document. This has raised no issues in regard to surface water, flooding or subterranean (groundwater) flow. Although there are level-changes between the site boundaries, retaining walls and re-profiling have modified the original topography to create a stepped ground level meaning there are no slopes that might give rise to groundwater flows. The nearest watercourse as shown in the "lost Rivers of London" is a tributary of the River Fleet connecting to Highgate Ponds approximately 150m to 200m west. These tributaries are downslope from the site. The LUL Northern Line tunnel is understood to follow the line of Fortress Road but will be at a deep level relative to the site and existing sewers at this point and therefore the site is not considered to be located within the zone of influence of any underground rail infrastructure.
- 6.30 There are 3 issues identified in the slope stability screening flow chart; these being that the site overlies London Clay; the location of the works is within 5m of the adjacent highway; and the differential depth of foundations relative to adjacent properties.
- 6.31 Although a perched water table was found within the surface strata of London clay, site investigations have not recorded seepages from the underlying clay. It is recommended that 2 to 3 trial 'pins' be carried out along the northern boundary

prior to commencement of construction to confirm the details of the condition of the rubble foundation of the adjacent property and the perched water. Further to this precaution it is not anticipated by the assessment that any other issues are likely to arise in connection with the London clay and it is noted there is no evidence of any shrink-swell subsidence in the area of the site.

- 6.32 With regard to the highway, the depth of the basement is to be unchanged from the existing immediately adjacent to this and the existing retaining wall will remain in place and therefore established basement engineering measures will suffice.
- 6.33 The depth of the lower basement and patio gardens to the property to the south is some 1.2m below the finished level of the proposed basement. However, the residential property to the north does not have a basement and the proposed scheme will increase the differential depth relative to the adjacent foundations of this. Therefore the developer will need to ensure that the party wall is not undermined. The trial pits as referred to above will provide an opportunity to review the construction methodology and whether the existing rubble foundation should be replaced at any locations. In that regard ongoing routine investigations by the basement contractor are recommended to confirm the detail of the existing adjoining structure and geology such that temporary support and permanent works can be reviewed as the works proceed.
- 6.34 In the light of the above it is considered that the applicant has addressed the requirements of CPG4 to the extent that no wider assessment of impact is required. However it is considered prudent that a condition be attached requiring that the works be overseen by a qualified engineer.

Transport

- 6.35 The development is well served both by local bus routes and the rail network with Kentish Town underground and First Capital Connect stations being within 5-10 minutes walking distance. All the proposed units of the development should therefore be provided as car-free housing and a Section 106 agreement entered into removing the right to eligibility for resident parking permits.
- 6.36 The proposed refurbishment includes provision for 9 cycle parking spaces on 'Broxap' aluminium cycle stands. Five of these spaces are provided in the new side extension entrance lobby and the remaining four within the front basement lightwell. This type of cycle stand does not comply fully with Camden's Cycle Parking guidance in CPG7 but the shorter length stands would at least allow the frame to be locked to the stand as well as the front wheel and be accommodated within the limited space available. This can be accepted for the secure area of the entrance lobby although given the spacing it is unlikely that all five spaces could be occupied at one time. The lightwell spaces needing to be accessed via steps and requiring a certain amount of lifting/manoeuvring would not be considered fully accessible in any case. However, given that this is a conversion scheme and some of the units would allow for storage internally, it is considered that the maximum reasonable provision for cycle parking has been achieved which is acceptable. A condition would be attached to secure the provision as shown.

- 6.37 There is currently no vehicular access to the site which fronts onto a main road that forms part of the strategic road network (SRN). The development involves the demolition and re-erection of a 3-storey rear extension as well as the construction of a moderate sized basement and will therefore have the potential to impact on the adjacent highway. The road is marked with a single yellow line parking restriction and it is considered that the necessary works would be readily capable of being managed working with this existing restriction and necessary temporary licenses in liaison with the highways authority. An informative on any permission should draw the applicant's attention to the need for such licenses. Periodic servicing of the flats within the completed development will also be able to take place directly from the highway in front of the development as it does presently.
- 6.38 A contribution towards repairing any damage to footways incurred during construction should be secured by Section 106.

Sustainability

- 6.39 The proposed change of use involves the creation of more than five new dwellings and therefore in line with policy DP22 of the Development Plan Policies the issue of promoting sustainable design and construction has been considered through submission of a Sustainability Statement. This has been prepared by SRE
- 6.40 Since the scheme involves the retention and refurbishment of an existing building, the appropriate tool of assessment is under BREEAM Domestic Refurbishment. The submitted information has set out how a score of "Excellent" is being targeted to meet with the expectations of DP22 for post-2013 requirements. The scheme performs well in the CPG3 priority categories of energy, materials and water scoring 65.5%; 80%; 40% respectively and surpassing the minimum standard of 60:60:40 sought.
- 6.41 Whilst still exceeding the minimum BREEAM standard in energy, the pre-assessment has assumed that renewable technologies will not be specified. Roof mounted solar photo-voltaic panels (PVs) would normally be the most cost effective means of supplementing a building's heating needs for a scheme of this scale and nature. However this is unlikely to be feasible in this case due to the shading effect for much of the year by the taller building to the south. The applicant was also asked to consider a biodiverse roof for the flat roofed section to the north but due to the narrowness of this and problems of access for maintenance this too has been considered unfeasible.
- 6.42 The scheme as proposed satisfies the relevant DP22 requirements and as such the developer should be required to complete a post-construction review via S106 to show how the pre-assessment targets have been met.

Planning obligations and CIL

- 6.43 Planning obligations for a scheme of this size and type would be sought for the following:

Education contributions $(3 \times £2,213 + 1 \times £6,322) = £12,961$

Parks and open space

Contribution based on 9sqm per person in line with policy DP31 and the formula for the calculation set out in CPG8

Open Space Requirement (sqm)	Capital Cost	Maintenance	Design and admin	TOTAL
81.8 sqm	£2,588	£2,491	£310	£5,389

- 6.44 The development would be liable for the maximum CIL charge because it involves the creation of additional residential units. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge would be £11,300 (226sqm x £50). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

7. CONCLUSION

- 7.1 The proposed scheme for reconstruction of the rear part of 41 Fortress Road with extensions and incorporation of a lower basement level is considered acceptable. The replacement rear extension and side infill extensions would be appropriately sympathetic in scale and form of design to respect the main building and to ensure that the amenities of neighbouring occupiers in terms of outlook, light, privacy or sense of enclosure are not unduly affected. The building meets acceptable standards of sustainable design and construction and would not generate unacceptable transport impacts. The submitted basement impact assessment demonstrates that with proper attention to process and routine mitigation there will be no harm caused to adjacent properties.
- 7.2 The scheme is therefore considered to represent a welcome solution for ensuring the long term future of the non-designated heritage asset.
- 7.3 Planning Permission is recommended subject to a S106 Legal Agreement covering the following heads of terms:
- Education contribution of £12,961
 - Parks and open spaces contribution of £5,389
 - Financial contribution of £tbc for various highway works to cover the costs of repaving the footways following construction
 - All units to be designated as car-free
 - Sustainability Plan including a BREEAM Domestic Refurbishment post-construction review

8. LEGAL COMMENTS

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans (prefix 394-A-) 001D, 002C, 003A, 004D, 005 D, 006D, 007E, 008D, 009B, 011B, 012A, 013B, 014A; 342-B-021A, Specification for D300 Contemporary Cycle Stand -300MWH: Design and Access Statement Rev A by Ko Architects dated October 2013; Sustainability Statement (incl. BREEAM Domestic Refurbishment) by SRE dated 15.10.2013; Basement Impact Assessment Report by Knapp Hicks dated October 2013; Heritage Statement by Heritage Collective dated June 2013; Daylight assessment by Herrington dated June 2013; Structural feasibility report by WG Hall Associates dated 23 May 2013.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Plan, elevation and section drawings, including jambs, head and cill, of all new windows and doors at a scale of 1:10 with typical glazing bar details at 1:2;

b) Sample panel of brickwork for the rebuilt front gable;

c) Samples and manufacturer's specification details of all new facing materials.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 4 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London

Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 6 The cycle parking facilities shall be provided in the areas as shown on the drawings hereby approved prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 7 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

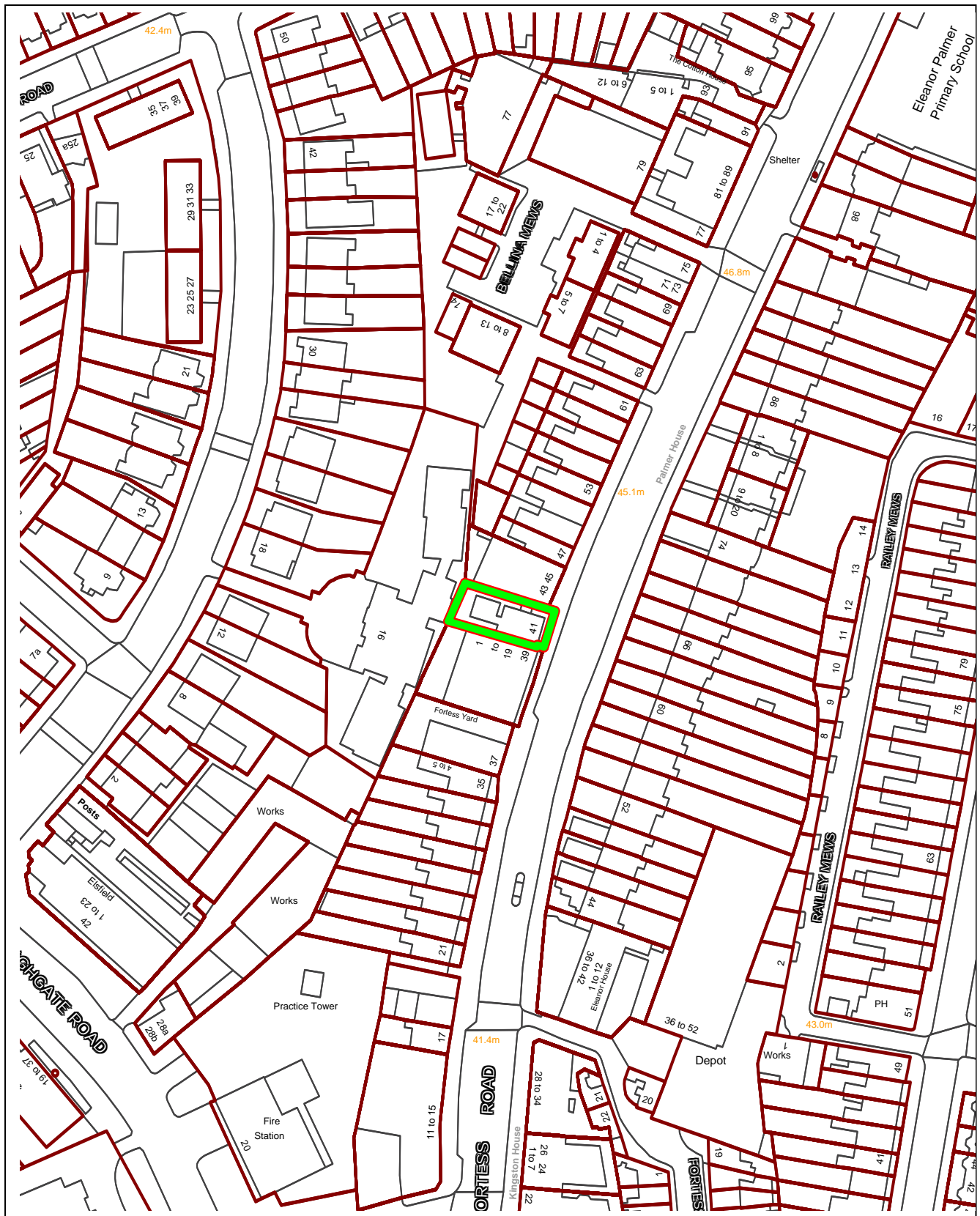
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
- 4 In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 2410) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.
- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 7 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £11,300 (226sqm x £50). This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the Additional Information Requirement Form or other changing circumstances.

You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to be paid and when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk



Application No: 2013/3877/P

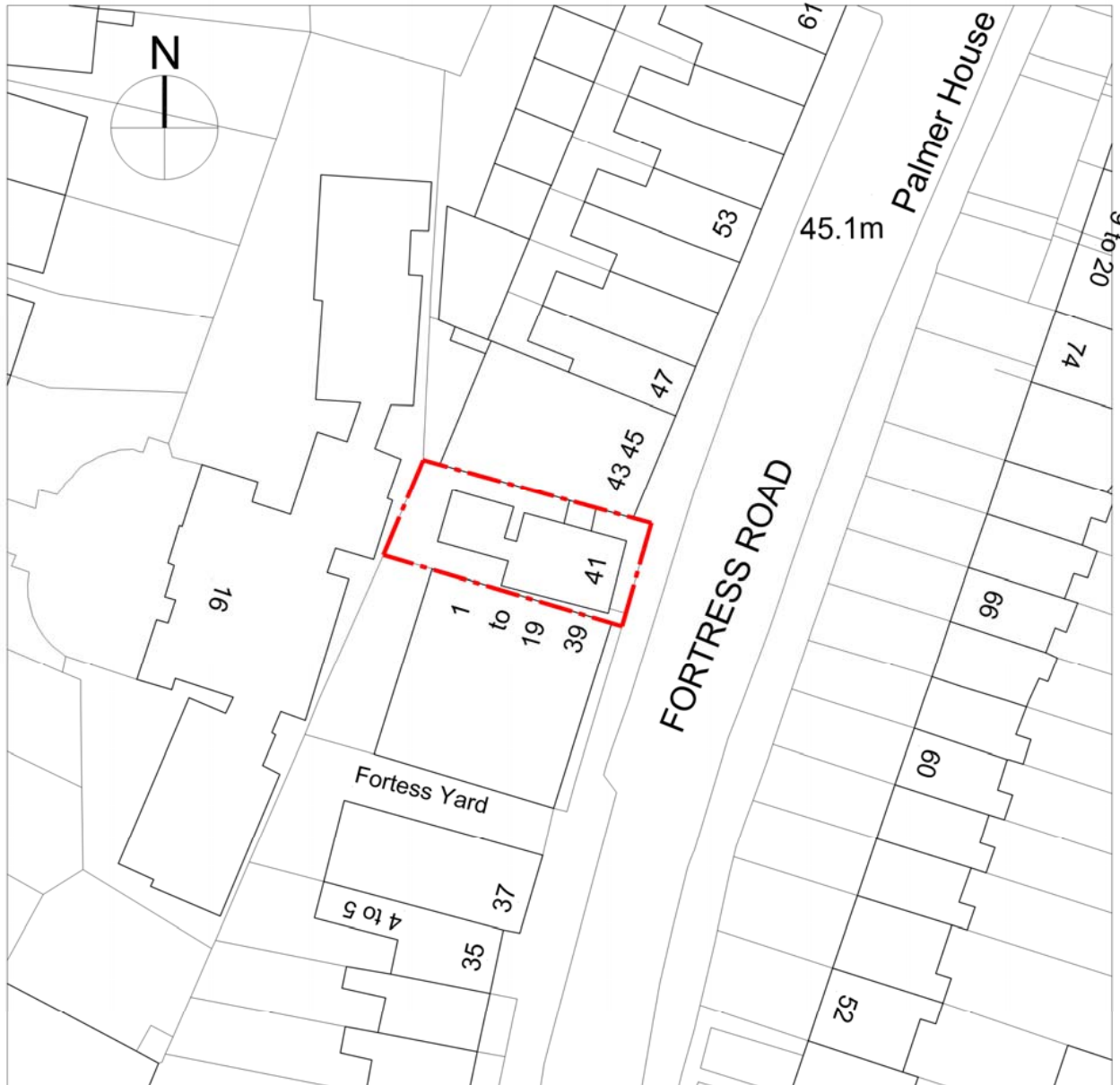
**41 Fortess Road
London
NW5 1AD**

**Scale:
1:1250
Date:
18-Nov-13**



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2013/3877/P - 41 Fortress Road



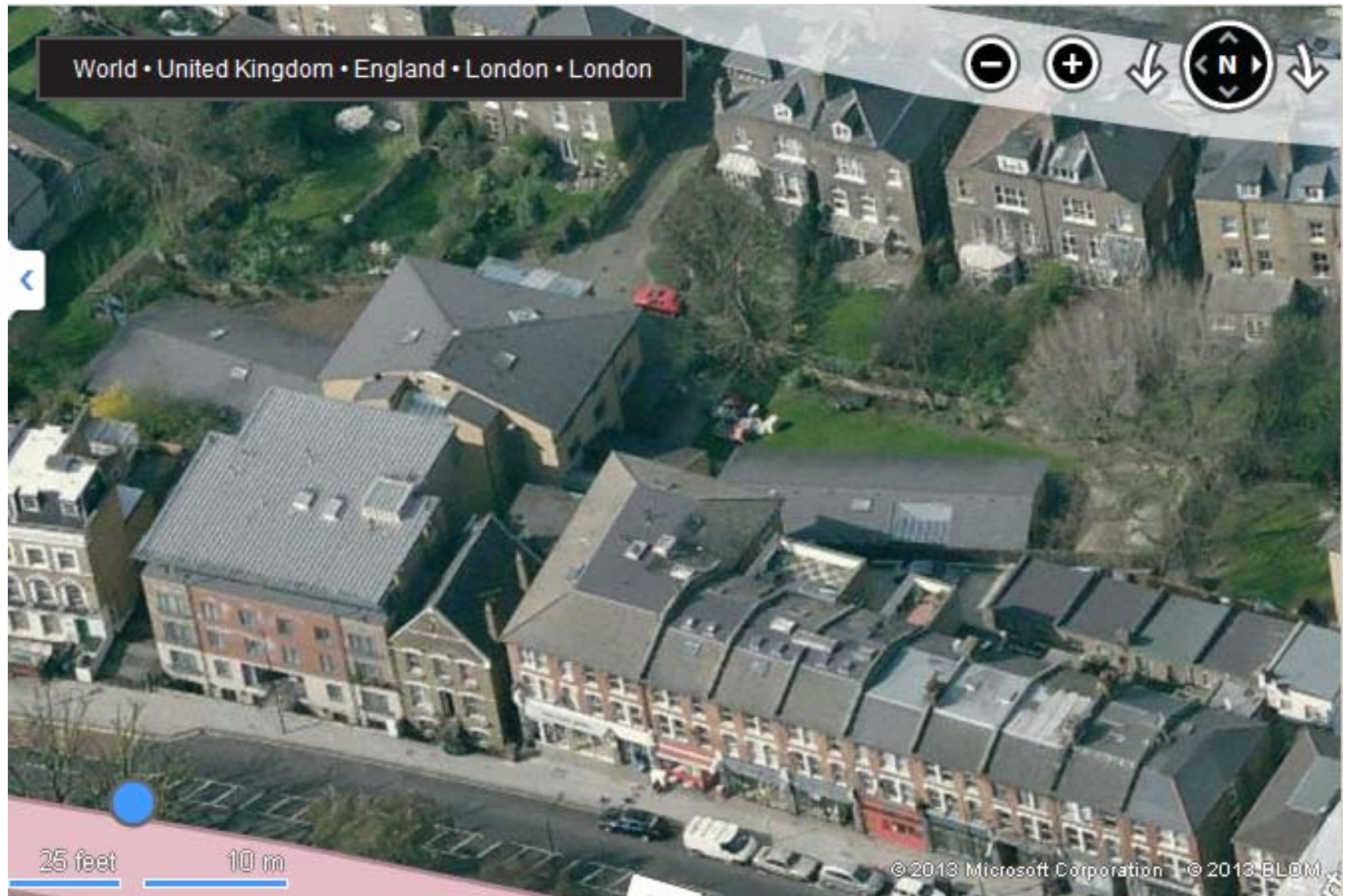
Location Plan
scale 1:500

2013/3877/P - 41 Fortress Road



Existing

2013/3877/P - 41 Fortress Road



Aerial view

2013/3877/P - 41 Fortress Road



Existing side extension



View to rear elevations



Views of rear elevations

2013/3877/P - 41 Fortress Road



Existing View from One Support Centre



Proposed Rear Building

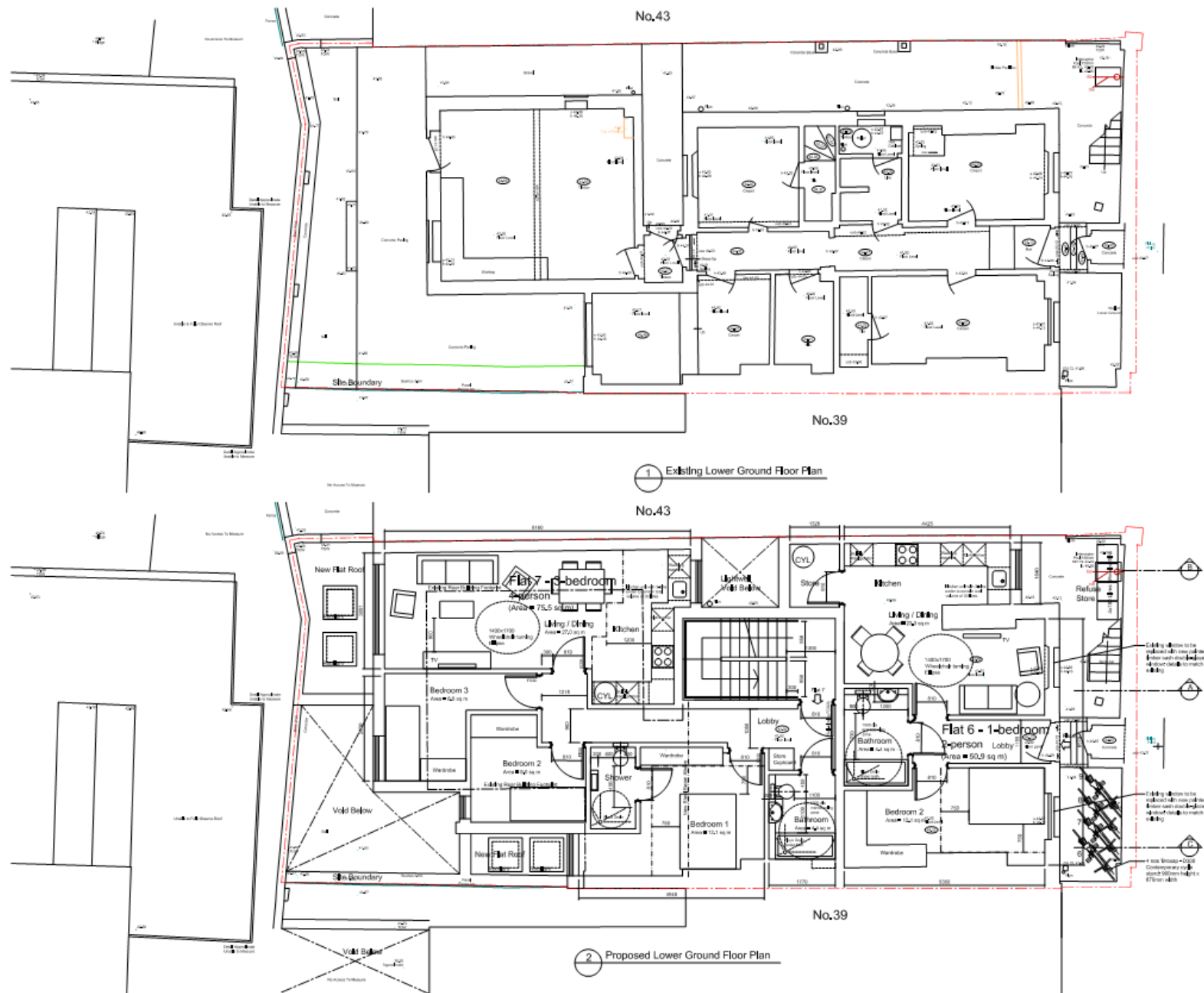


No.43

Proposed Rear Extension of No.41

No.39

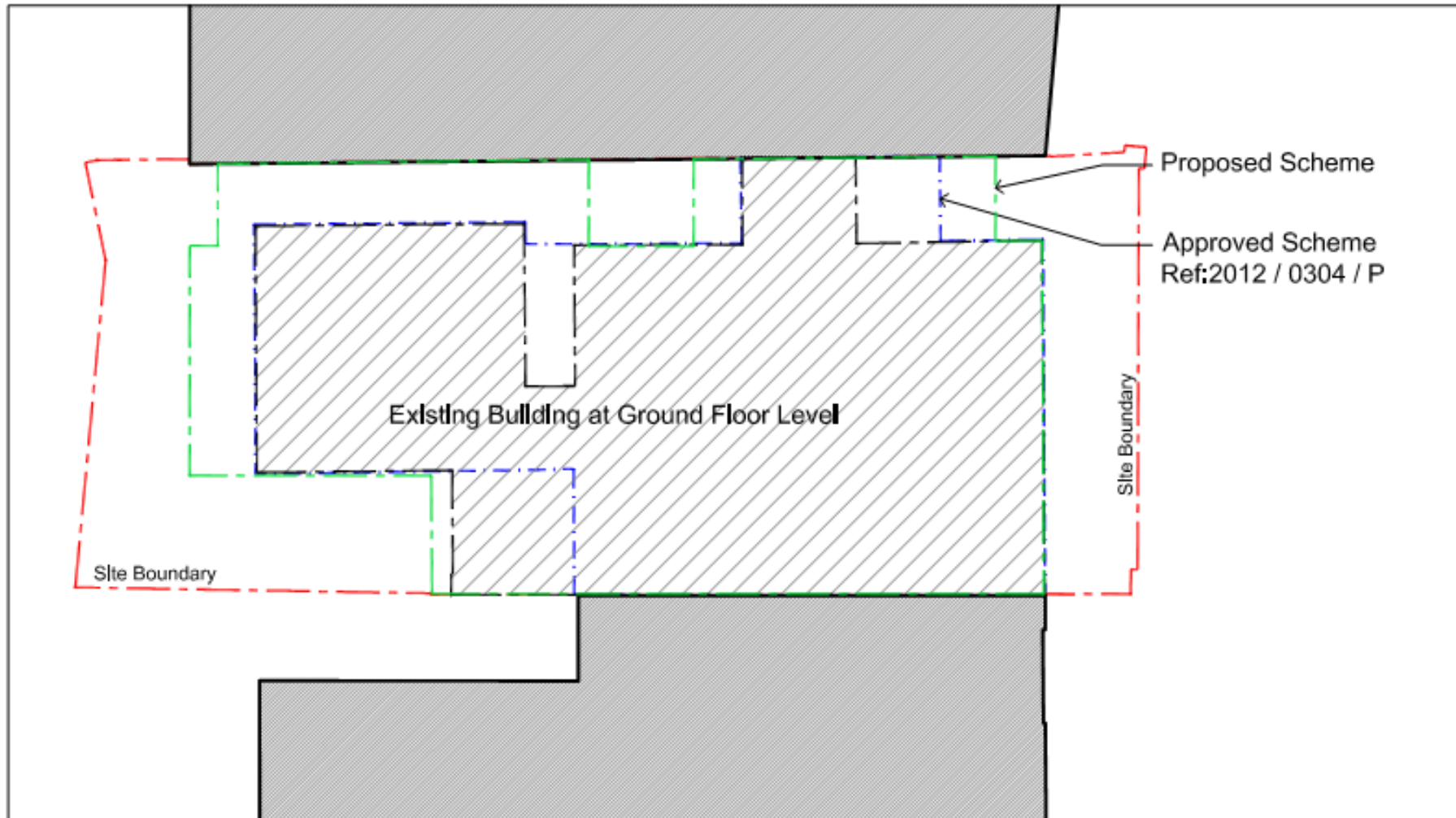
2013/3877/P - 41 Fortress Road

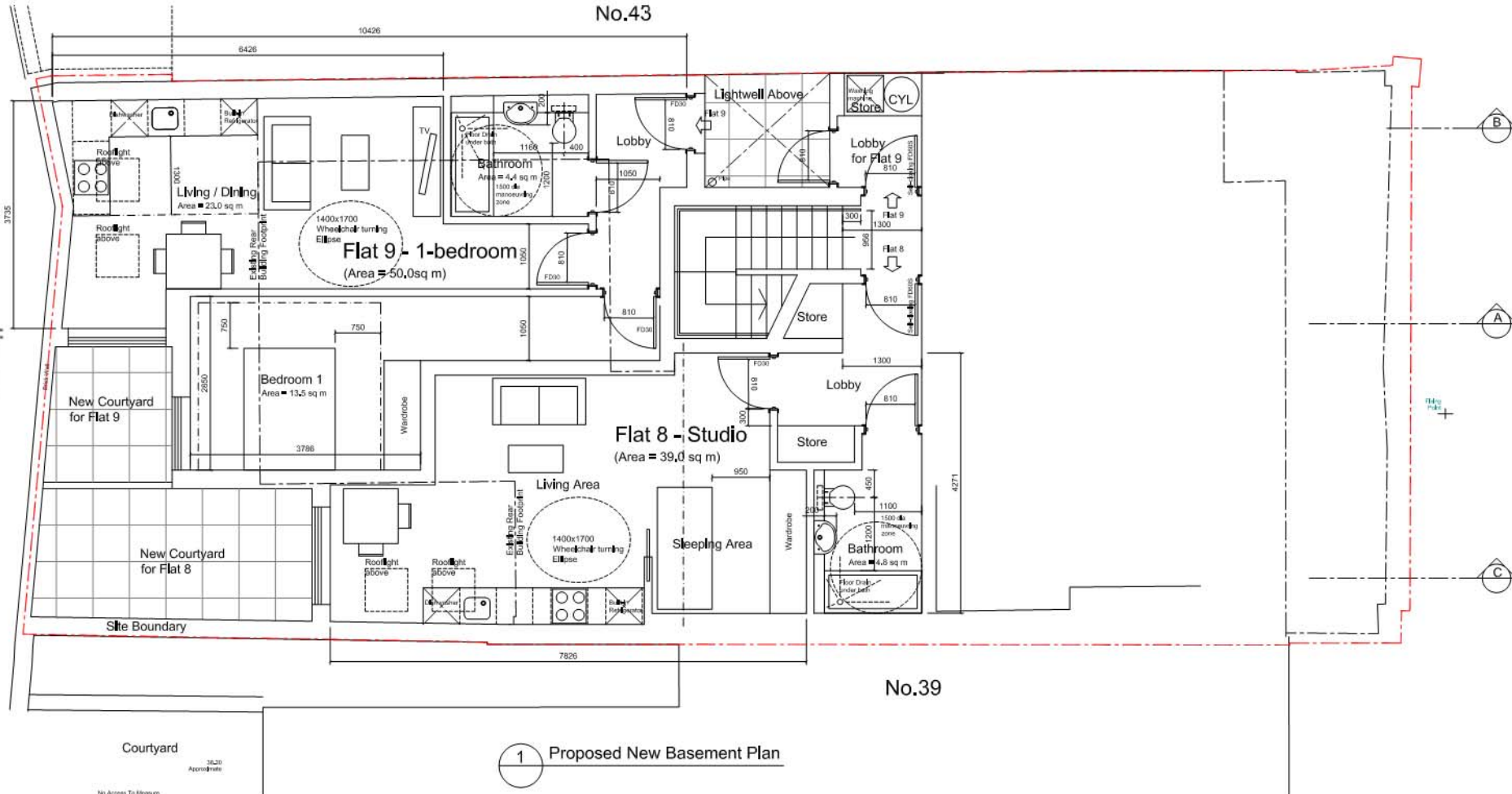


Lower Ground Floor Existing and Proposed

2

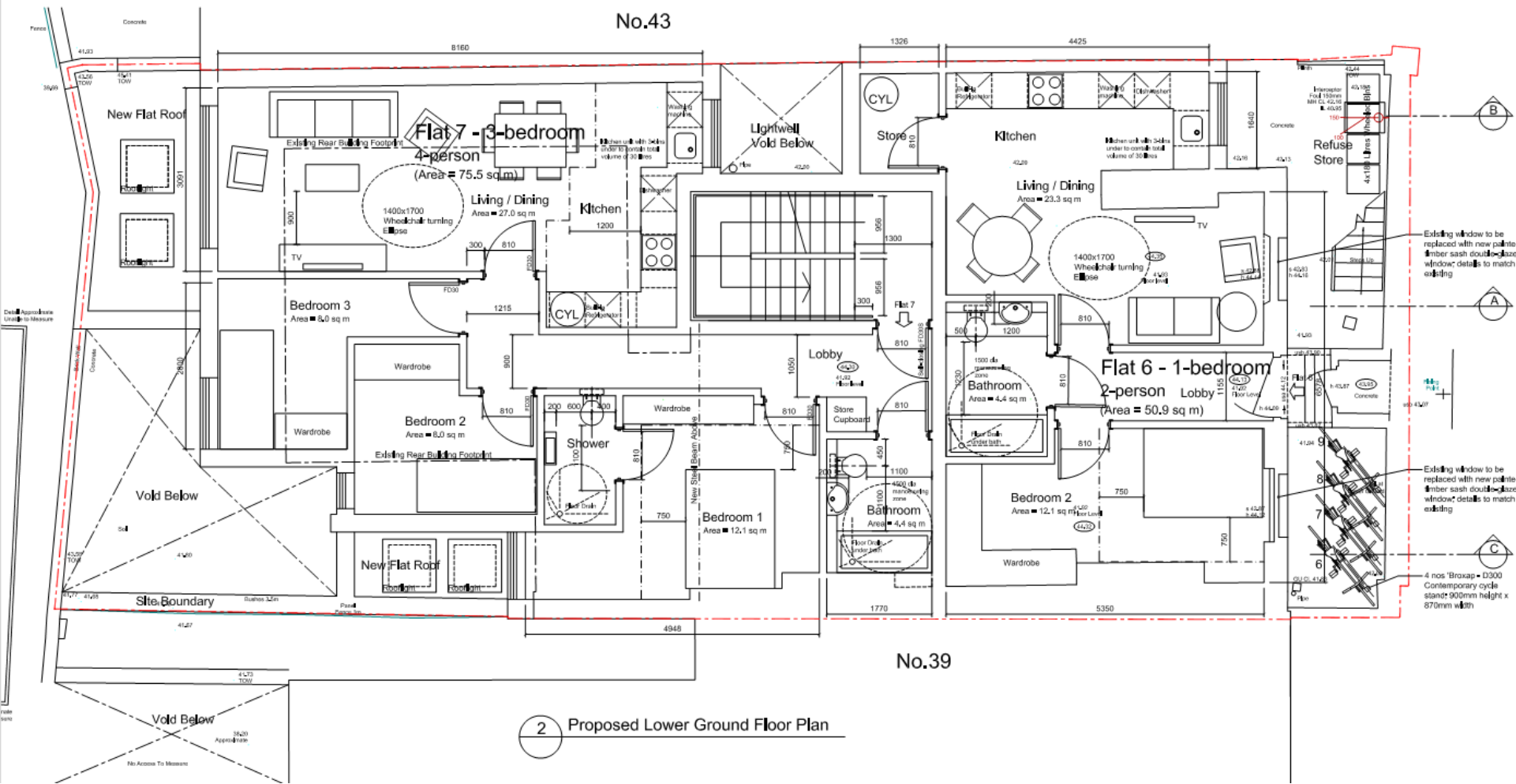
Diagram shows existing and proposed buildings





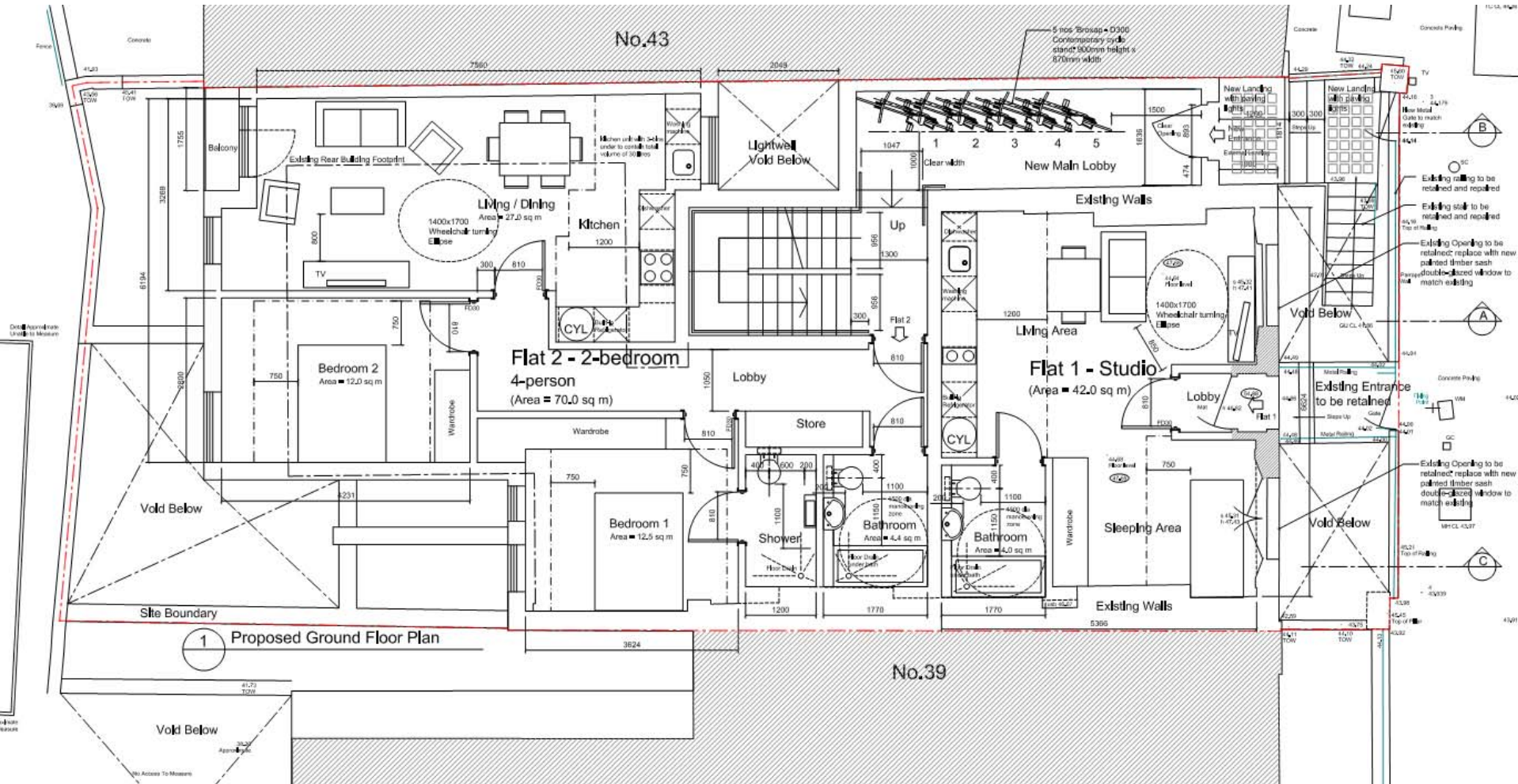
Proposed new basement level

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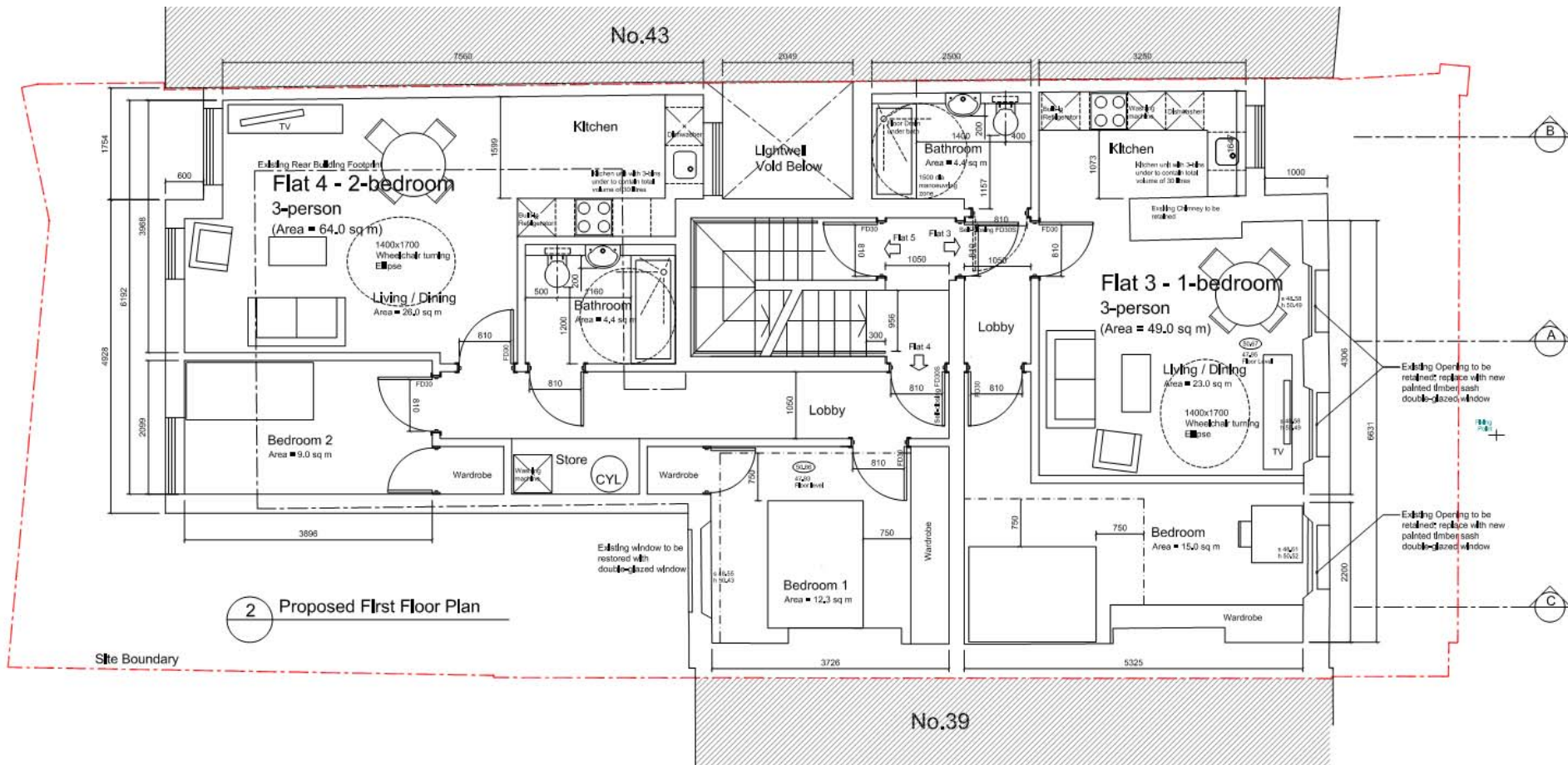
Proposed lower ground floor

2013/3877/P - 41 Fortess Road



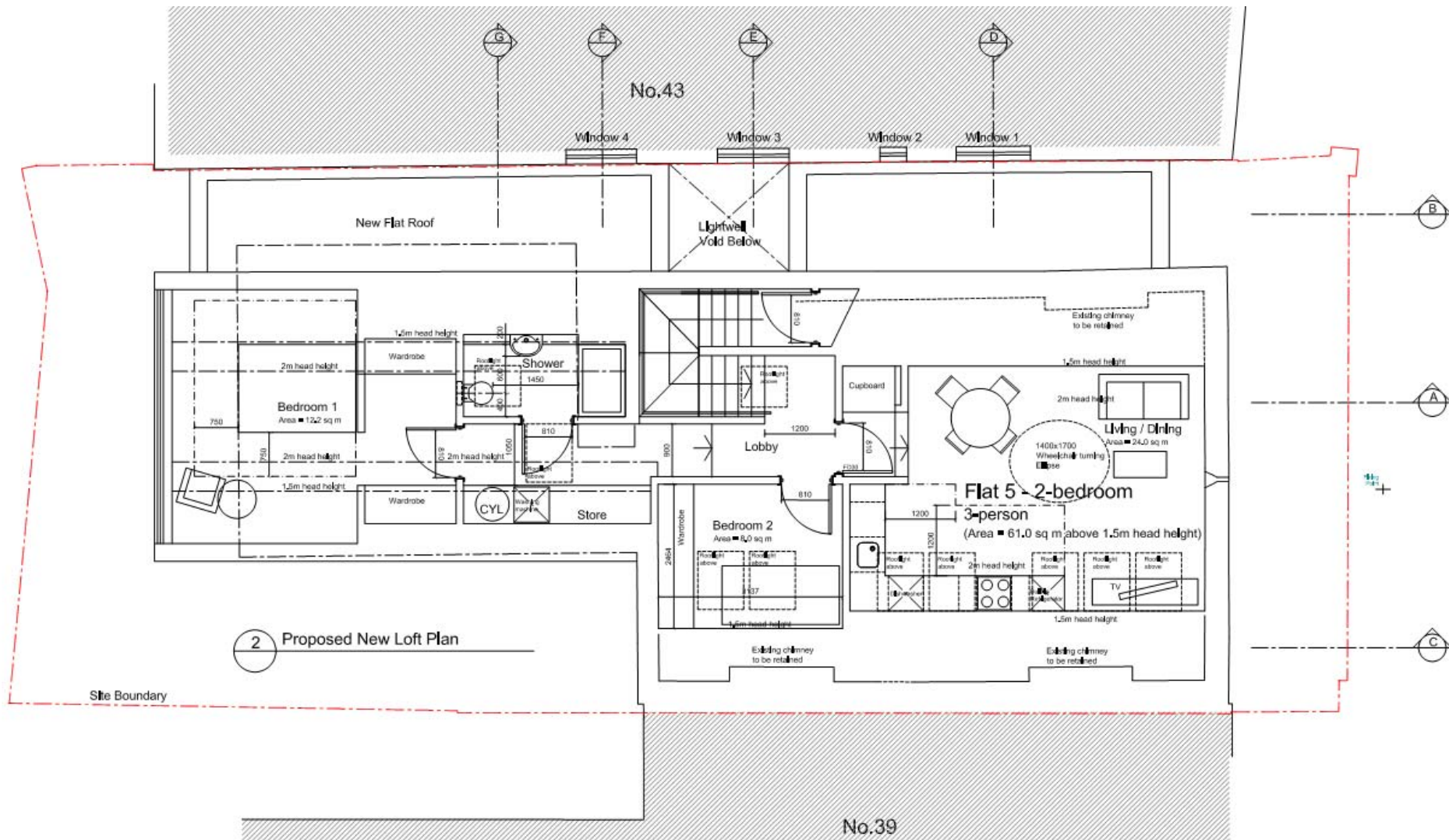
Proposed ground floor plan

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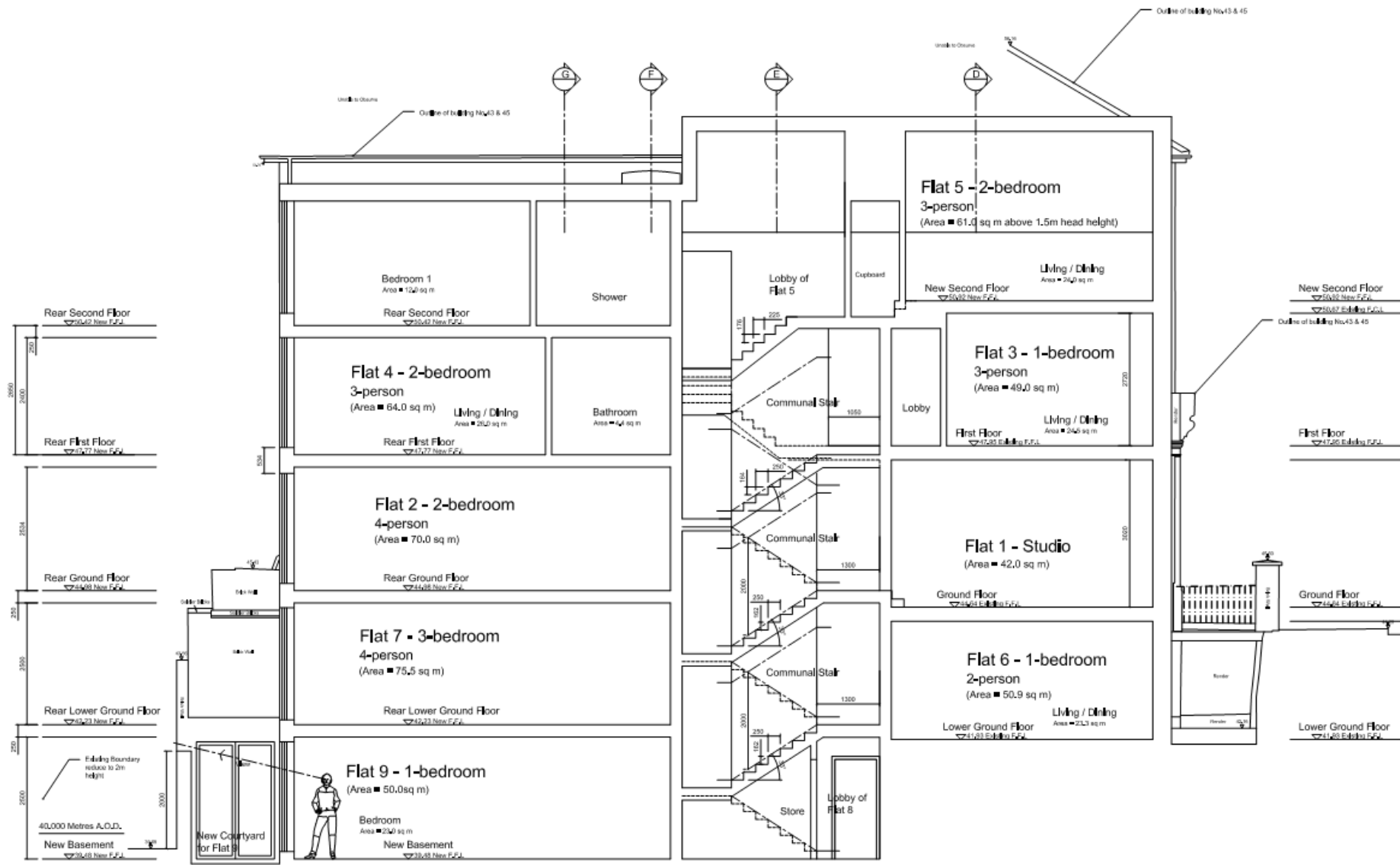
Proposed first floor plan

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Proposed new loft plan

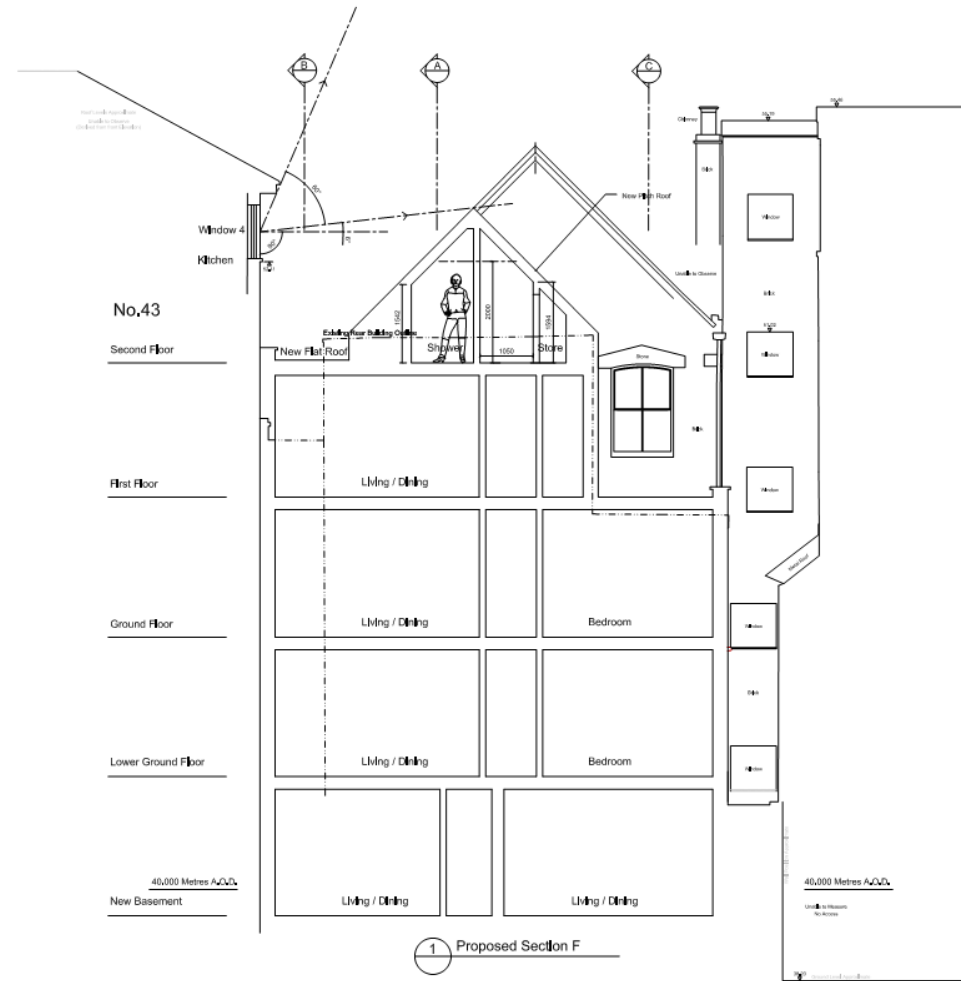
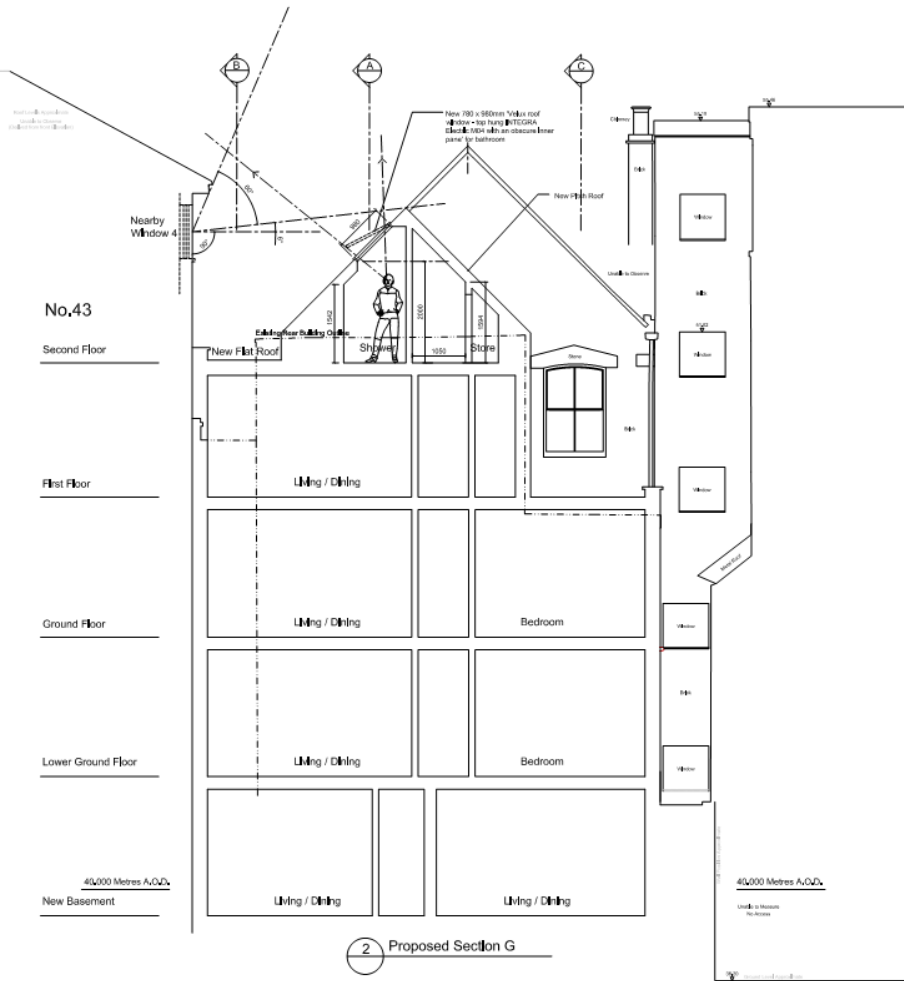
2013/3877/P - 41 Fortress Road



1 Proposed Section A

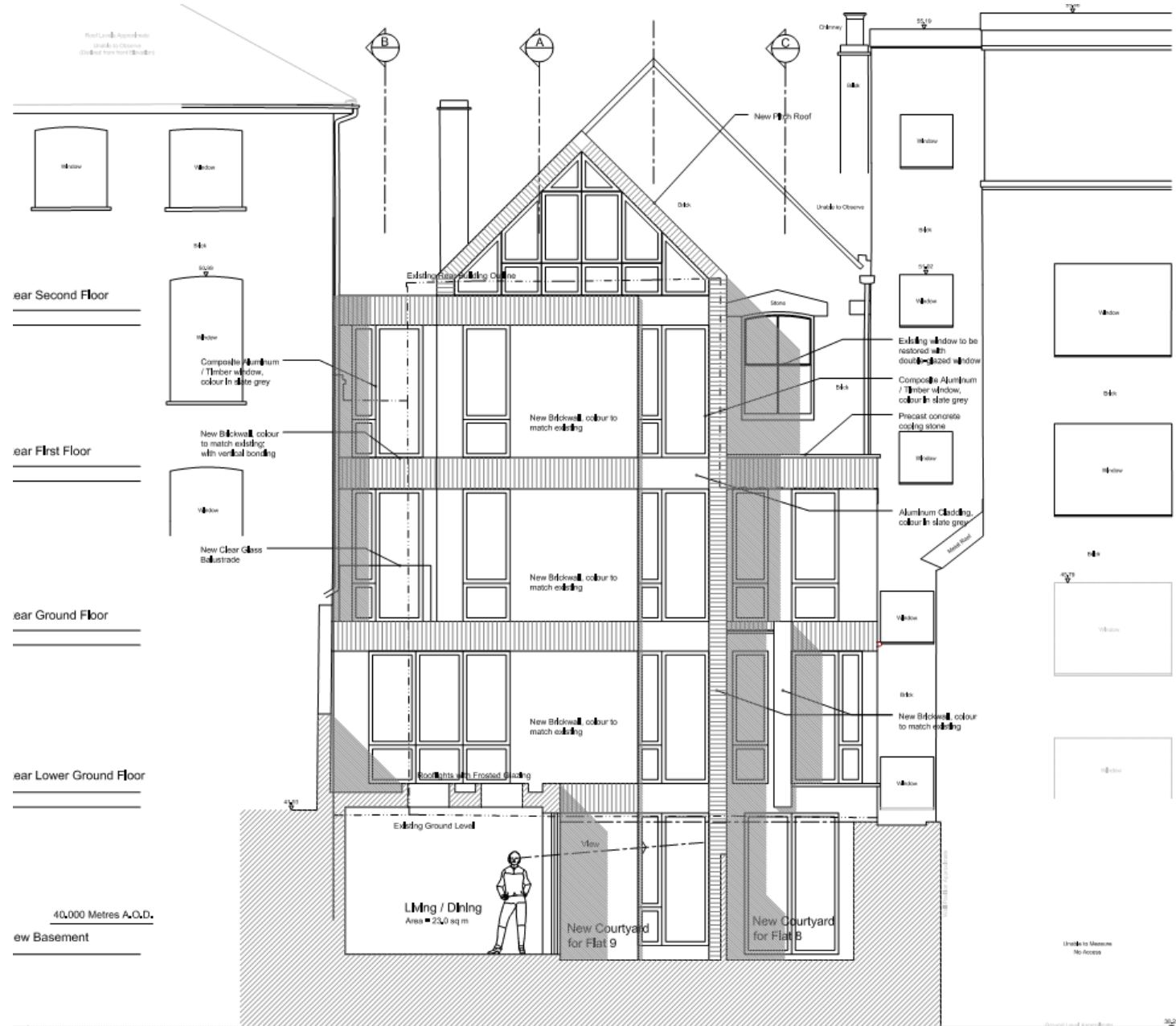
Proposed long section (section A)

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Proposed cross sections (sections G and F)

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Proposed rear elevation

Existing Gable wall - bricks and any special features will be carefully taken down to allow like to like reconstruction; bricks are reused and then to be stained or colour washed to match existing main facade condition



Proposed front elevation

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Existing view from kitchen window in rear top flat at 45 Fortress Road

