

Delegated Report	Analysis sheet	Expiry Date:	10/11/2014
	N/A / attached	Consultation Expiry Date:	21/12/2014

Officer	Application Number(s)
Nanayaa Ampoma	2014/5132/P

Application Address	Drawing Numbers
29 Arkwright Road London NW3 6BJ	See Decision Notice

PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature

Proposal(s)
Conversion of 4-bed self-contained unit into 1 studio & 2 x 2 bedroom self-contained flats.

Recommendation(s):	Refuse Planning Permission
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Application Type:	Full Planning Permission
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Conditions or Reasons for Refusal:	Refer to Draft Decision Notice
Informatives:	

Consultations

Adjoining Occupiers:	No. notified	16	No. of responses	00	No. of objections	00
			No. electronic	00		

Summary of consultation responses:	<p>The application was advertised in the Ham and High between the period of 25/9/2014 to 16/10/2014 and a Sit Notice was displayed for a period of 21 days between 24/9/2014 to 15/10/2014.</p> <p>Affected neighbours were also notified via direct letters.</p> <p>No neighbour comments have been received.</p>
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CAAC/Local groups* comments: *Please Specify	The application site is in the Redington Froggnal Conservation Area however no comments have been received from local groups.
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Site Description

The application site relates to a relatively large block of flat between Froggnal and Lindfield Garden. The property is finished in brown bricks with parking at the forecourt.

The area around the site is residential in nature.

The property is within the Redington Froggnal Conservation Area. There is also a TPO on site.

Relevant History

2008/0678/P: The erection of a first floor extension to the front and a roof extension at second floor level to the rear to create an additional 3 bedrooms for flat 4. – **Refused 24-04-2008**

17755: Alterations and the conversion of the top floor of the existing dwelling house at No. 29 Arkwright Road, Hampstead, into two flats. – **Approved 21-12-1962**

Relevant policies

National Planning Policy Framework (2012) - chapter 4, paragraphs 29, 30, 35 and 39.

London Plan (2011)

Local Development Framework

Core Strategy (2011)

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS7 Promoting Camden's centres and shops

CS8 Promoting a successful and inclusive Camden economy

CS10 Supporting community facilities and services

CS11 Promoting sustainable and efficient travel

CS14 Promoting high quality places and conserving our heritage

CS19 Delivering and monitoring the Core Strategy

Development Policies (2011)

DP2 Making full use of Camden's capacity for housing

DP3 Contributions to the supply of affordable housing

DP6 Lifetime homes and wheelchair homes

DP16 The transport implications of development

DP17 Walking, cycling and public transport

DP18 Parking standards and limiting the availability of car parking

DP19 Managing the impact of parking

DP22 Promoting sustainable design and construction

DP24 Securing high quality design

DP26 Managing the impact of development on occupiers and neighbours

DP27 Basements and lightwells

DP28 Noise and vibration

Supplementary Guidance

CPG 1 Design

CPG 2 Housing

CPG 3 Sustainability

CPG 4 Basements and lightwells

CPG 6 Amenity

CPG 7 Transport

CPG 8 Planning obligations

Revised Central London Guidance (2007)

Assessment

Proposal

The application seeks planning permission for the conversion of the existing 4 bedroom flat at ground and first floor into 1 studio flat and two 2 bedroom flats.

Discussion

The main areas of consideration are:

- Land use
- Design and space standards
- Amenity
- Transport
- Waste Storage

Land Use

The application site is currently residential and the property as a whole is entirely residential. The location is predominantly residential also. Therefore there is no issue with the principle of development.

Design and Space Standards

Policy CS14 requires that all alterations respect and enhance the character of the area and location. Therefore Council will only give permission to those developments that preserve or enhance the character and appearance of the area. This is further supported by policies CS5 of the Core Strategy and DP24 of the Development Policies which state that the Council will require all developments including alterations and extensions to existing buildings, to be of the highest design standards in terms of the character, siting, context, provision of light, standards of accommodation form and scale to the existing building and the general area. Also, of a good light standard, space standard and general amenity.

The proposed works would be to the inside of the property. No external works are proposed to the outside of the property. Therefore there are no design concerns attached to the external appearance of the property.

In line with policies CS5, CS6, CS14 of the Core Strategy and DP6 and DP26 of the Development Policies, supplementary guidance CPG 2 (section 4) provides details on the required residential development standards as highlighted in the London Plan for all new residential units. The Council has established its own requirements, which includes the following: all rooms in basements must have a height level of at least 2.1-2.3 metres; all one bed flats should have a minimum space of at least 32sq metres; all first and double rooms must be 12sq metres (see London Plan) or more. Plans submitted with the application show that the development is more than compliant with the above criteria.

In addition, policy DP6 requires all new housing developments comply with Lifetime Homes requirements as far as is reasonable. Given the site constrains it would be unreasonable to expect compliance of all 16 lifetime homes criteria. However details have been submitted which shows that the development will aim to meet some of the criteria. Therefore it is considered that reasonable consideration has been given to the Lifetime Homes criteria in accordance with policy DP6.

Amenity

Policies CS5 (Core Strategy) and DP26 (Development Policies) state that the council will protect the quality of life for existing and future occupiers, as well as neighbours by only granting permission for those developments that would not have a harmful effect on amenity. This is echoed by Section 7 of supplementary planning guidance CPG 6 (Amenity), require that regard is given for the amenity of existing and future occupants. Such issues include visual privacy, overlooking, overshadowing, outlook, sunlight, daylight and artificial light levels.

The proposed development would lead to the intensification of the existing property. However as the current use is as residential and the number of units would only increase by one and there are no external alterations proposed, officers do not consider that the development would alter the current amenity arrangements in the area for existing occupiers. There will be no added loss of privacy, over shadowing, loss of outlook or any other concerns. The proposed units are also considered to provide adequate light and outlook for future occupants.

No neighbour comments have been received.

Transport

The application is supported by the Highway Officer subject to a S106 agreement for car free/car capped development for the additional two flats only. Therefore as there is one existing flat with two parking permits the two additionally proposed flats at first floor will be secured as car free, while the ground floor flat will be car capped with two parking permits allowed to match the existing arrangement.

The Council as a Highways Authority has recognised that there are significant pressures on the current parking facilities throughout the borough, especially in dense residential areas close to Town Centres. In the interest of sustainable transport practices, the Council has established highways policies that strongly discourage the use of private motor vehicles and aim to control any future unnecessary increase in off street parking (CS11 – Core Strategy, also DP16, DP17, DP18, DP19, DP22 – Development Policies).

The Highways Authority has asked that the development be secured as car capped overall (with some car free) the site is within a CPZ. All CPZ's are identified as suffering from a high level of parking stress with more than 100 permits issued for every 100 parking bays and overnight demand exceeding 90%. Policy DP18 states that the Council expects new developments in areas of high on-street parking stress to be either car free or car-capped. The reasons for this are to facilitate sustainability and to help promote alternative, more sustainable methods of transport and stop the development from creating additional parking stress and congestion. This is also in accordance with policies CS11, CS19, DP18 and DP19.

The application site has a Public Transport Accessibility Level (PTAL) of 6a (excellent). In light of the above, a car capped development should be secured against the new units via a Section 106 legal agreement as a planning obligation is considered the most appropriate mechanism for securing the development. This is because it relates to controls that are outside of the development site and the ongoing requirement of the development to remain car free. The level of control is considered to go beyond the remit of a planning condition. This obligation is worded to comply with S106 of the Town and Country Planning Act.

As such, it is the Council's position that securing car capped accommodation is policy compliant and accords with the requirements of Section 106 as it is necessary to make the development acceptable and is directly related to the development. It is also felt that the powers required to deal with this matter are too significant to be dealt with under a condition. This is in accordance with Circular 11/95, where it states at Appendix B as an example of an unacceptable condition, is one requiring loading and unloading and the parking of vehicles not to take place on the highway, as it purports to exercise control in respect of a public highway which is not under the control of the applicant.

However the applicant has refused to sign a S106 for car capped as they are concerned that they would lose their current parking permit provisions. Therefore the application fails to comply with highways policies and it is considered that should it be implemented, it would lead to greater pressures on the highway infrastructure in the area contrary to sustainability practices highlighted in the NPPF and Camden Council's LDF.

In line with policies DP17 and DP18, the Council will require the provision of one cycle space.

The applicant has yet to demonstrate where this will be and how this can be complied with.

Waste Storage

As the property was previously residential there is already a waste storage facility on site and this will be used by the new units. However to ensure that the existing facilities are organised to formally accommodate the use of all three units in an acceptable and sustainable manner, a condition will be placed on the decision notice requesting further details to be submitted.

Recommendation: REFUSE