

Planning Statement

Change of Use from Retail (A1) to Residential (C3), Erection of Mansard Roof Extension and Reconfiguration of Dwellings

112 & 112A Malden Road, Camden, NW5 4BY

For and On Behalf of Mr Desmond Hirsch and Dr Pam Hirsch

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1. INTRODUCTION

- 1.1. Carter Jonas' Cambridge Planning Team has been instructed by the applicant (Mr Desmond and Dr Pam Hirsch) to submit a Full Planning Application for the erection of a mansard roof extension and to reconfigure 112 and 112A Malden Road.
- 1.2. The following documents and plans have been prepared to accompany and support the application:
 - Application Forms and Certificate(s)
 - Site Location Plan and Block Plan (0814-16/01)
 - Existing and Proposed Elevations, Layouts and Section (0814-16/02)
 - Section (0814-16/03)
 - Planning Statement
 - Design, Access and Transport Statement
- 1.3. The Planning Statement forms part of the 'technical document' element to the submission and provides justification on how the development proposals is in accordance with the Development Plan and other relevant material considerations.

2. SITE AND CONTEXT

- 2.1. The development site is located within the London Borough of Camden. It is located on the eastern frontage of Malden Road and north of the intersection with Queen's Crescent. The site comprises a former commercial unit on ground floor with residential floor space spread over the first, second and third stories. The site is not located in a Conservation Area, nor is it a listed building. The developments in close proximity vary in scale and architectural style.
- 2.2. The property itself comprises four-storey's, which includes the basement space which is a similar sized footprint to that of the existing property.

Planning History

- 2.3. In summary, the details of the main applications that relate to this site are as follows:

Application Number	Site Address	Development Description	Status	Date Registered	Decision
2016/3329/P	112 Malden Road London NW5 4BY	Change of use from retail (Class A1) to residential (Class C3) to create 1 no. self-contained 1-bed flat at ground and basement level	FINAL DECISION	22-06-2016	Granted
2015/6803/P	112 Malden Road London	Change of use from retail (Class A1) to residential (Class C3) to create 1 no.	FINAL DECISION	22-12-2015	Prior Approval Required - Approval

	NW5 4BY		self-contained 1-bed flat at ground and basement level			Refused
2003/3118/P	112 Malden Road London NW5 4BY		Conversion of basement into a 1-bedroom self-contained flat and creation of new front lightwell.	FINAL DECISION	20-01-2004	Refused
11609	No. 112 Malden Road, N.W.5		Erection of a ground and first floor extension and installation of new shop front at No. 112 Malden Road, N.W.5	FINAL DECISION	26-07-1971	Conditional

3. PROPOSAL

- 3.1. The building at present comprises retail floorspace to the basement and ground floors with an existing residential unit in the form of a maisonette to the first, second and third floors. The basement and ground floor shop unit has been granted a Certificate of Lawfulness for a C3 residential use. The established, lawful use of the building is therefore as two separate, self-contained dwelling units, one at basement and ground level and the other at first floor and second floor level. The principal aspect of the proposed development is for a roof extension to the upper floor unit in order to provide new habitable accommodation for the existing residential unit. Additionally, there are various other minor works proposed in the form internal reconfigurations. Changes to fenestration, reconfigured rear roof to the existing ground floor extension, and the creation of a new basement access enclosed by the installation of railings and a gate between the façade and the rear pavement line.
- 3.2. The proposed mansard roof will be set back to match the agreed line for the mansard roof which exists at 114-116 Malden Road. This design will respect what exists within close proximity to site.
- 3.3. The description of the proposal is as follows:

Mansard roof extension; re-opening of existing front lightwell with railings and staircase to basement; alterations to roof of existing ground floor rear extension; alterations to openings; change of use of ground and basement level from retail (Class A1) to residential (Class C3) further to approved Application Ref: 2016/3329/P and internal reconfiguration of building to provide 1x 2-bed flat at basement, ground and first floor level and 1x 2-bed flat at 2nd and 3rd floor levels.

4.PLANNING POLICY

- 4.1. This section of the Planning Statement sets out the planning policy background against which the proposed development is to be considered. It sets out the relevant statements of planning policy within the statutory development plan and the National Planning Policy Framework (NPPF) that influence the scheme.
- 4.2. S38(6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”. Therefore, the development plan is considered to be the starting point for the determination of planning applications. Camden Borough Council does not have an up-to-date Local Plan and therefore a reduced amount of weight can be afforded to the policies within it.
- 4.3. In addition to the statutory development plan, Camden Borough Council has a number of Supplementary Planning Documents (SPDs), which provides further technical advice and guidance on the implementation of adopted planning policies. The ones that are relevant to this proposal are as follows:-
 - Camden Planning Guidance – Design CPG1 (July 2015)
 - Camden Planning Guidance – Housing CPG2 (May 2016)
 - Camden Planning Guidance - Sustainability CPG3 (July 2015)
 - Camden Planning Guidance - Basements and lightwells CPG4 (July 2015)
 - Camden Planning Guidance – Amenity CPG6
 - Camden Planning Guidance – Transport CPG7

Local Planning Policy

- 4.4. With regard to the Local Planning Policy the Development Plan is the starting point insofar as it relates to the application site and the proposed development currently comprises:

Camden Development Policies 2010-2025 (2010)

- 4.5. The Camden Development Policies document was adopted on the 8th November 2010 and sets out detailed planning criteria that is used in the determination of planning applications within the borough.
- 4.6. DP18- Parking Standards and Limiting the Availability of Car Parking
The Council will seek to ensure that development provide the minimum necessary car parking provision. For car free and car capped developments, the Council will limit on-site parking. Developments will also be expected to meet the Council’s minimum cycle parking standard. Appendix 2 suggests that 1 cycle parking space is to be provided per unit.

4.7. DP24 – Securing High Quality Design

The Council require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design. This should take into consideration; character, setting, context, form and scale of neighbouring buildings; the character and proportions of the existing building, where alterations and extensions are proposed; the quality of materials to be used; and accessibility.

4.8. DP26- Managing the Impact of Development on Occupiers and Neighbours

The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

- Visual privacy and overlooking;
- Overshadowing and outlook;
- Sunlight and daylight and artificial light levels;
- Noise and vibration levels;
- Provision for the storage, recycling and disposal of waste; and
- Facilities for bicycle storage

4.9. DP27- Basements and Lightwells

Proposals for basement and other underground development, the Council will require an assessment of the schemes impact on drainage, flooding, groundwater conditions and structural stability where appropriate. They will only be permitted where there is no harm to the natural environment and local amenity and does not result in flooding or ground instability.

Camden Core Strategy 2010-2025 (2010)

4.10. CS6- Providing Quality Homes

The Council will aim to make full use of the housing capacity for housing, secure high quality affordable housing, minimise social polarisation and, create mixed and inclusive communities across the borough.

4.11. CS11- Promoting Sustainable and Efficient Travel

The Council will promote the delivery of transport infrastructure and the availability of sustainable choices in order to support Camden's growth, reduce environmental impact of travel and relieve pressure on the borough's transport network.

4.12. CS14- Promoting High Quality Places and Conserving our Heritage

The Council will ensure that Camden's places and buildings are attractive, safe and easy to use. This will be done by:

- Requiring development of the highest standard of design that respects local context and character; and
- Seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible.

Camden Local Plan – Submission Draft 2016

- 4.13. The Draft Local Plan (2016) will cover the planning period of 2016 – 2031. On 24th June 2016 the Council submitted the Local Plan and supporting documents to the Secretary of State. Following consultation, the application will now undergo public examination in October 2016. As of yet the policies within this document hold limited weight.

Regional Planning Policy

The London Plan (March 2016)

- 4.14. The London Plan is the overall strategic plan for London, setting out an integrated, economic, environmental, transport and social framework for the development of London over the next 20- 25 years.
- 4.15. London Boroughs' local development documents have to be 'in general conformity' with the London Plan, which is also legally part of the development plan that has to be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not.

Chapter 7 – London's Living Spaces and Places

- 4.16. Policy 7.6 Architecture
Buildings and structures should:
- Be of the highest architectural quality;
 - Be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm;
 - Not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings;
 - Optimise the potential of site

National Planning Policy

National Planning Policy Framework

- 4.17. The National planning Policy Framework was adopted in March 2012 and sets out Government planning policies for England and how these are expected to be applied in plan making and development management. This framework is a material consideration and is to be taken account of in the determination of a planning application.
- 4.18. Paragraph 6 comments on the promotion of sustainable development and that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to say that the NPPF 2 '*... constitutes the Government's view of what sustainable development in England means in practise for the planning system*'

- 4.19. **Paragraph 7** explains that there are three dimensions to sustainable development. The social and environmental roles are particularly relevant to the Proposed Development, in term of housing and protecting and enhancing the built and historic environment.
- 4.20. **Paragraph 8** goes on to say that: *“These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.”*
- 4.21. **Paragraph 17** sets out twelve core planning principles that should underpin plan making and decision taking. In respect of the Proposed Development, the following are relevant:
- *“Always seek to secure high quality design and a good standard of amenity for all existing and future occupant of land and buildings,*
 - *Contribute to conserving and enhancing the natural environment and reducing pollution,*
 - *Encourage the effective user of land by reusing land that has been previously developed (brownfield), provided that it is not of high environmental value,*
 - *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable,*
 - *Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.”*
- 4.22. **Section 4** relates to Promoting Sustainable Transport. **Paragraph 29** relates to facilitating sustainable development and contributing to wider sustainability and health objectives. The transport system needs to be balanced in favour of sustainable transport modes, providing people with a choice of travel means.
- 4.23. **Paragraph 32** comments *‘Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.’*
- 4.24. In respect of design, the NPPF states within **Section 7** that Planning Policies and decisions should aim to ensure that:
- Developments function well and add to the overall quality of the area;
 - Establish a strong sense of place;
 - Respond to local character and history while not preventing or discouraging appropriate innovation; and
 - Are visually attractive, given good architecture, and appropriate landscaping.
- 4.25. **Paragraph 131** states that *“In determining planning applications, local planning authorities should take account of:*

- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation,*
- *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and*
- *The desirability of new development making a positive contribution to local character and distinctiveness.”*

5. PLANNING JUSTIFICATION

- 5.1. This section of the statement highlights and justifies why the proposed development is considered to be appropriate, giving regard to national and local planning policy and any other relevant adopted supplementary planning documents.

Principle of Development

- 5.2. The site was previously used as a part commercial and part residential unit. The Council issued a Certificate of Lawful Use on the 20th July 2016 which established that the ground floor unit could be changed from an A1 shop use to a C3 residential dwelling to create a 1 bedroom flat at ground floor and basement level (2016/3329/P)
- 5.3. The first and second floors of the property were already in residential use as a separate and self-contained residential unit and this will continue to be the case. To increase the floor space of this flat known as 112A Malden Road (the upper floor maisonette) a mansard roof extension will be created, which will encompass a lounge and kitchen area. Given that the two buildings either side of 112 and 112A have mansard roofs, this will be a continuation of the roof designs prevalent in the locality, thereby reinforcing local distinctiveness in accordance with the advice of Paragraph 60 of the NPPF. The proposed roof extension, for the reasons explained below, is considered to be a seamless addition, which will respect the character of the area and is sympathetic to the host building.
- 5.4. With regard to the creation of access to the basement via new stairs in the frontage of the site, this is considered appropriate given that all the development will take place within the building's curtilage, and the only excavation will be removal of a concrete cover that has been laid over the former light-well. This will then include a set of stairs which will lead to the basement, existing stores to be re-used as services, a storage area and a bike and bin store. New fenestrations will also be provided to ensure natural light can penetrate into the proposed family room. It is important to note that there will be no additional floor space created in relation to the ground and basement floor residential unit, the basement space currently exists and this proposal will purely open this to be a more efficient use of space.

Design, Scale and Massing

Mansard Roof

- 5.5. The proposal's siting, design, scale and massing are considered to be appropriate. Given that the proposal seeks to provide a mansard roof, similar to that of the neighbouring properties at 114 and 116, the continuation of this design is considered to be suitable and is sympathetic to the wider context. The roof extension will be set back from the front elevation by approximately 2.2 metres, with a parapet wall in front. In doing so, this reduces the dominance of the extension, and also makes it less prominent within the streetscene. The materials proposed in the roof extension are considered to be of a high

quality and will compliment and respect those of the mansard roofs on the other properties. The windows that will be incorporated into the mansard roof are to be of a similar design to those on the neighbouring dwellings, to ensure that the roof is a seamless addition.

- 5.6. In this regard, it is considered that this element of the proposal complies with policy DP24 of the Camden Development Policies document, Camden Planning Guidance (Design CPG1) and National Planning Policy.

Basement

- 5.7. The basement element of this proposal already exists. The works that will be required to facilitate this section of the development will include the excavation of a concreted light-well in the frontage of the site. This will then provide access into the basement via a set of stairs. There will be railings in the frontage to divide the stair-well from the highway. Given that the basement space exists and there is no additional floor space to be created, the proposal is therefore considered to comply with policies DP24 (design) and DP27 (basements) of the Camden Development Policies as well as Camden Planning Guidance (Basements and lightwells CPG4).
- 5.8. The proposals will be constructed using materials that are of the highest quality and therefore respect the wider context and are sympathetic to the existing building. It is therefore considered that the proposals are of appropriate design, scale and massing and are compliant with relevant policy as stated above, and thus the proposals should be accept on these grounds.
- 5.9. The proposal seeks to provide two maisonette flats. With regard to the London Plan Housing Standards (March 2016), the two flats are in excess of the London space standards with 112 having a GIA of 150m² and 112A of 82m².

Residential Amenity

- 5.10. The proposal is considered to have no significant impact on residential amenity. The mansard roof will have two windows on the front (east) elevation and two on the rear (west) elevation. These are considered to lead to no significant impact by means of overlooking given their location. The design, scale and massing of the roof extension, is not considered to lead to any amenity impact by means of overbearing or overshadowing.
- 5.11. The works to construct an access to the basement area from the street will also have no significant impact upon residential amenity. The proposals are considered to provide high quality living space and therefore comply with policies CS 6 and CS 14 of the Core Strategy and DP26 and DP27 of the Development Policies Document (2010), as well as National Planning Policy.

- 5.12. The rear ground floor roof will be accessible from first floor level. There is a similar access layout to the roofs of 114 and 116 adjacent whilst the windows to the eastern elevation of 131A Queen's Crescent are all obscured corridor windows in accordance with that development (PE9900738).

Accessibility and Transport

Public Transport

5.13. There is no space to provide car parking on the site and there has not been any provision from the former uses of the site. Permit only on-street parking is available, however the site is within walking distance to local services and facilities and also good local and regional public transport links by bus and train.

5.14. The below table sets out how far the site is from Underground Stations.

Underground Station	Walking Time (mins)	Distance (miles)	Lines and Links	Time to King's Cross (mins)
Chalk Farm	12	0.6	Northern	14 (every 6 mins)
Belsize Park	13	0.7	Links to National Rail Services from Euston and King's Cross St Pancras	18 (every 6 mins)
Camden Town	17	0.9		12 (every 3 mins)
Tufnell Park	25	1.2		16 (every 6 mins)
Hampstead	30	1.3		42 (every 8 mins)

5.15. The following table sets out how far the site is from Bus Stations.

Bus Stop	Walking Time (mins)	Distance (feet)	Service
Queens Crescent (Stop KV)	1	240	24 and 46
Queens Crescent (Stop KZ)	1	374	24 and 46

5.16. The 24 bus service links Grosvenor Road with the Royal Free Hospital. The service passes through Victoria Station, Leicester Square Station and Camden Town Station.

5.17. The 46 bus service links Lancaster Gate Station with St. Bartholomew's Hospital, with stops at Kentish Town West Station, St Pancras International and King's Cross Station.

5.18. In light of the above the site is considered to be well-connected to public transport services with links to major transport routes and employment areas of the city. The proposal is therefore in accordance with paragraph 29 of the NPPF (2012) which states that "the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel". Given that the site is located close to Underground and Bus services, it is considered that the proposal is in a sustainable location with regard to transport.

Car Parking

- 5.19. At present there is no car parking provided on site for the flat at first, second third floor, nor the flat that has just been granted a certificate of lawfulness for the former ground floor commercial unit and basement which can now be used for a residential use. Despite the site having a PTAL rating (public transport accessibility level) of 3 (moderate) it is considered that the site is within suitable proximity to public transport methods as highlighted in the above sections. The provision of car parking is therefore not appropriate in this urban location.
- 5.20. The works that are proposed relate to an established residential lawful use. Given that the proposal is for a residential extension of a small scale, this should not be seen to increase car parking demand. The increase in the upper floor will not increase the number of bedrooms, as a bedroom transfers from 112A to 112 and therefore no additional demand will be generated.
- 5.21. The sites location within a Controlled Parking Zone has a parking rate level of 0.68 which equates to an area which has been identified as not having on-street parking stress. The PTAL rating suggests that the site is not located in a highly accessible area. Given that there is no existing car parking, it would be unreasonable to seek car free development through a S106 obligation. Furthermore, the number of bedrooms is currently 4, and this will be the same for the proposal, in this regard, there is no intensification of use which will lead to detrimental car parking stress.
- 5.22. The proposed development is considered to be compliant with policies CS11 and DP18 of the Camden Development Policies and also the Camden CPG7 (Transport).

Cycle Parking

- 5.23. A shared space for cycle parking will be provided at basement level. This has capacity to store at least two cycles. There are also public use cycle hoops immediately in front of the property. It is therefore considered that the development is in accordance with policy DP18 and appendix 2 of the Camden Development Policies document.

Open and Amenity Space

- 5.24. It is a requirement of high quality design that the proposals should address the need for the provision of appropriate amenity space as commented in policies CP22 and DP24 of the adopted Local Plan (2010). The proposal provides some any open amenity space on-site that is typical for an urban location. There are also a number of parks and leisure facilities in close proximity. Located to the north of the site, approx. 80 metres away is a designated area of open space. It is also considered that the properties that are being provided are of a substantial floor space to justify the lack of amenity space provision on site. It is therefore considered that the proposal is in accordance with policies CP22 and DP24.

6.CONCLUSION

- 6.1. The proposals has been tested against the national planning policy advice contained within the NPPF, and indeed the more directly applicable as contained within the Camden Development Policies documents and Supplementary Guidance documents. It is considered that in all regards the development is appropriate to the site and to the area generally.
- 6.2. The proposals design and layout have been tailored to the constraints of the site minimising the impact on the existing building and those in close proximity to the site. The proposals represent high quality design and are sympathetic to the character and appearance of the site.
- 6.3. Given that the use of the site for residential has already been established, it is considered that the proposals maximises the space on site, and provides a high quality standard of living for future occupiers. The central location of the property is such that it is considered a to be in a sustainable location and having regard to the Development Plan Policy and the presumption in favour of sustainable development in the NPPF, it is considered that the development, as proposed, should be permitted on the site. The scheme is considered to comply with both national and local planning policy.