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JL/PB/343

BY E-MAIL

7 December 2016

Dear Sir or Madam,

**RE: 58 MILL LANE, LONDON, NW6 1NJ
AMENDED FULL PLANNING APPLICATION – A1TO C3 WITH EXTENSIONS
SUPPORTING PLANNING, DESIGN & ACCESS INFORMATION**

This letter has been prepared by James Lloyd Associates Limited in support of an Amended Full planning Application, submitted on behalf of Mr. Duncan Gilbert (hereafter referred to as the 'Applicant'), with regard to The 58 Mill Lane, London, NW6 1NJ (hereafter referred to as the 'Site').

This proposal seeks consent from the London Borough of Camden (hereafter referred to as the 'Council') to: *"Change of use at basement level from retail (Class A1) to provide 1 residential (Class C3) unit (1 x 3 bed), enlargement of existing front light well, single storey rear extension at lower ground floor level and installation of rear roof light at ground floor level and new double mansard to create additional bedroom to top floor flat."*

The content of the letter is set out as follows:

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From the outset, it is important to note that there is no dispute that the Site is suitable for residential development. Councillors and the Council's Planning and Transport Departments have agreed this Application can be approved on the proviso that a car free obligation is secured. Following the dismissal of a Full Planning Appeal (LPA Ref. Ref 2014/7919/P / PINS Ref. APP/X5210/W/16/3151322), the Applicant has agreed to a 'car free agreement'. A car free agreement would see the Applicant agree to a Section 106 Agreement to remove the occupants' of the basement unit eligibility for Controlled Parking Zone parking permits (excluding disabled / wheelchair housing occupants).

SPECIALIST PLANNING AND DEVELOPMENT ADVICE AND SERVICES

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1. AMENDED FULL PLANNING APPLICATION PACKAGE

In addition to this letter, the Application should be read in conjunction with the following supporting documents, which was submitted with the previous application (LPA Ref. Ref 2014/7919/P):

- Completed Application Forms (including CIL Questions) prepared by JLA Limited
- Design and Access Statement prepared by Studio 136 Architects
- Drawings and Plan prepared by Studio 136 Architects:
 - Site Location Plan
 - ST_14_58MIL_001 Rev F - Existing and Proposed Plans Sections and Elevations – Revised
 - ST_14_58MIL_002 Rev F - Proposed Floor Plans – Revised
 - ST_14_58MIL_003 - Existing Section – Revised
 - Section and Lifetime Homes Statement - Existing Drawing
- Appeal Decision (PINS Ref. Ref: APP/X5210/W/16/3151322)

No Application Fee is applicable.

2. SITE DETAILS

The application premises form part of a Victorian terrace on the southern side of Mill Lane between Ravenshaw Street to the west and Broomsleigh Street to the east. The three-storey (plus lower ground) mid-terraced property comprises a basement that adjoins a single-storey rear extension at lower ground floor level, used as a workshop; and a ground floor retail unit with two floors of residential use above. The shop was formerly in use as a florist and has been vacant since 2004. The basement workshop was formerly used by a furniture restoration company and has been vacant since 2000.

The ground floor shop is accessed from Mill Lane with a separate access door providing access to the basement and residential units on the first and second floors. There is an emergency escape route, which has existed for approximately 30 years, from the workshop leading to Mill Lane via the external yard of Nos.60-62 Mill Lane. The Site is not within a conservation area and the host and surrounding buildings are not listed. It is, however, located within a designated Mill Lane Neighbourhood Centre.

3. RELEVANT HISTORY

- 2008/2364/P – Planning permission granted subject to conditions on 03/10/2008 for change of use of the ground floor from retail (Class A1) to office (Class B1) to provide additional space for the existing B1 use at lower ground floor level, the installation of pavement lights within the forecourt, the erection of a new single storey rear extension at lower ground floor level (following the demolition of the existing rear extension), and alterations to the rear elevation at lower ground and ground floor level (Officer comment: this permission was not implemented and has since lapsed).
- 9100954 – Planning permission granted subject to conditions on 30/01/1992 for change of use of retail unit to a fish & chip shop (Class A3) and take away including a new extract on the rear elevation as shown on drawing no ML/P/01 (Officer comment: this permission was not implemented and has since lapsed).

- 8702792 – Planning permission refused on 03/10/2008 for the erection of a rear extension at second floor level as shown on drawing no. 237 SK.1. Subsequently allowed on appeal on 10/12/1987 (Officer comment: this permission has been implemented)

4. RELEVANT PLANNING POLICIES

National Planning Policy Framework 2012 including Guidance

London Plan March 2016, consolidated with alterations since 2011

LDF Core Strategy and Development Policies 2010

- CS5 Managing the impact of growth and development
- CS6 Providing quality homes
- CS7 Promoting Camden's centres and shops
- 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
- CS19 Developing 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
- DP12 Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses
- DP16 The transport implications of development
- DP17 Walking, cycling and public transport
- DP18 Parking standards and limiting the availability of car parking
- DP20 Movement of goods and materials
- DP21 Development connecting to the highway network
- DP22 Promoting sustainable design and construction
- DP23 Water
- 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
- DP28 Noise and vibration

Camden Supplementary Planning Guidance

- CPG 1 Design (2015)
- CPG 2 Housing (2015)
- CPG3 Sustainability (2015)
- CPG5 Town Centres, Retail and Employment (2013)
- CPG6 Amenity (2011)
- CPG 7 Transport (2011)
- CPG8 Planning Obligations (2015)

Fortune Green and West Hampstead Neighbourhood Plan

Policy 1: Housing

Policy 2: Design and Character

Policy 13: Mill Lane Neighbourhood Cent

5. ASSESSMENT

From the outset, it is important to note that there is no dispute that the Site is suitable for residential development. Councillors and the Council's Planning and Transport Departments have agreed this Application can be approved on the proviso that a car free obligation is secured. Following the dismissal of a Full Planning Appeal (LPA Ref. Ref 2014/7919/P / PINS Ref. APP/X5210/W/16/3151322), the Applicant has agreed to a 'car free agreement'. A car free agreement would see the Applicant agree to a Section 106 Agreement to remove the occupants' of the basement unit eligibility for Controlled Parking Zone parking permits (excluding disabled / wheelchair housing occupants).

All other matters (listed below) are agreed with the Council:

- Land Use - Loss of retail floorspace / Proposed residential use
- Design and Townscape
- Provision and quality of residential floorspace
- Residential Amenity
- Transport and access

Land Use

Loss of Retail Floorspace

The loss of the existing vacant retail shop and basement workshop areas was previously accepted in the 2008 permission referred to above. This Application would, however, retain retail use (Class A1) at ground floor level with the basement floorspace only being lost to residential use. The proposal would not reduce the overall percentage (61.5%) of retail uses within the centre. Retail use would still dominate, and the proportion necessary to attract customers would be maintained. More than 50% of the total units within this parade would be retained for retail use and the development would not result in 3 or more consecutive units being in nonretail use in accordance with Policy CS7 of the LDF, CPG5 and Policy 13 of the FGWHNP.

It is therefore considered that the partial loss of retail A1 floorspace proposed would not adversely impact on the character, function, viability and vitality of the Neighbourhood Centre or on residents' amenity. The proposed residential use would co-exist within the centre without any undue harm and the bringing back into use of this currently vacant retail unit would enhance the vitality and viability of the centre.

Proposed Residential Use

The Application proposes a new three-bedroom residential unit at lower ground floor level. The principle of additional residential floorspace within the Borough is strongly supported by Policies CS6 and DP2, which identify housing as the priority land use for the Borough and highlight the need to maximise the supply of housing. Policy 1: Housing of the FGWHNP further supports the provision of new 3-bedroom homes, where appropriate and suitable for families.

Policy CS6 seeks to meet or exceed a target of 8,925 new homes across the Borough between 2010 and 2025, with Annual Monitoring Reports including a reliance on a number of small sites and windfall sites. Policy DP2 further expects the maximum appropriate contribution to supply of housing on sites that are underused or vacant, taking into account any other uses that are needed on the Site.

The Site is in a sustainable location, with a good / very good PTAL level and access to local services and amenities. The development proposes the re-use of an existing underutilised, part vacant brownfield site, making the best use of the Borough's limited land. This approach accords with the core principles of the NPPF, which encourages the re-use of previously developed land, and Policy CS1.

Policies CS1 and CS4 also support development which makes the best use of land in areas of more limited change which are outside of the growth areas. The key test set out in Policy CS4 is that development in these areas 'respects the character of its surroundings, conserves heritage and other important features and provides environmental improvements and other local benefits where appropriate'. An assessment of these issues is outlined in further detail below.

In light of the loss of the existing uses being justified and the priority given to the delivery of significant number of new dwellings (particularly on underused brownfield sites), the principle of the redevelopment of the Site for housing is supported and would fully comply with Council policy.

Design & Townscape

The scale and design of the proposed extensions and alterations would sit comfortably with the host property and neighbouring properties and would respect its architectural style and appearance in accordance with the design guidance set out in CPG1, policies CS14 and DP24 of the LDF and policy 2: Design and Character of the FGWHNP.

Provision & Quality of Residential Floorspace

The three bedroom five person unit proposed would have a GIA of 86.89sq.m meeting both Camden's floorspace standards and the London Plan standards in terms of overall size and bedroom size. It would provide a good standard of accommodation for future occupiers with a satisfactory level of daylight, outlook, privacy and amenity space (10.66sq.m) being provided in accordance with CPG2, policy 3.5 of the London Plan and policy 1 of the FGWHN.

Residential Amenity

The closest residential units to the Site are to the west at No.56 Mill Lane, to the east at No.6062 Mill Lane, to the south at No.3 Dornfell Street and directly above at No.58 Mill Lane.

The proposal originally included a two-storey rear extension at lower ground and ground floor levels. Following concerns being raised that the extension would appear visually overbearing and result in a loss of outlook and daylight to neighbouring residential properties in Mill Lane, the proposal was amended with the ground floor element being removed. The single-storey rear extension now proposed at lower ground floor level would have a similar relationship with Nos.56 and 60-62 Mill Lane and No.3 Dornfell Street as the existing workshop building and being similar in height and scale on the eastern, western and southern boundaries would have no greater impact on the amenity of any adjoining residential occupiers.

Similarly, given the proposed siting and design of the lightwell and the mansard roof extension and their distance from the nearest neighbouring residential properties in Mill Lane and Dornfell Street, the proposal would have no adverse impact on the amenities of adjoining occupiers in terms of access to sunlight, daylight, outlook, sense of enclosure, noise and disturbance or privacy. As such, the proposal would be in accordance with policies CS5 and DP26.

Other Matters

Excavation Works

The floor level to the existing basement area is to be lowered to provide an increased ceiling height of 2.74 metres. This would include the undercroft, formerly used as a coal hole, and would involve lowering the floor slab level of the existing rear workshop area by 200mm. The surrounding brick party walls are to be underpinned accordingly.

The proposed method for removal of the excavation and demolition waste is conveyor belt extraction through the existing coal hole. The belt will feed a lorry parked on a suspended parking bay on Mill Lane. Pedestrian access along the parade will be maintained using a plywood bridge structure that will enclose the conveyor belt and provide a minimum of 2 metres head clearance for the pedestrian below. Tender documents will require a full method statement from prospective contractors to reflect the minimum requirements above and provide a detailed fill disposal plan for all material to be removed from site, in compliance with environmental legislation. The proposed slab to the lower ground floor area is a raft slab that will obviate the need for trench foundations along the rear boundaries and allow the slab to be cast from within the existing premises, minimising disruption to neighbouring occupiers.

Construction works generally result in a certain level of noise and general disturbance to adjoining properties. Such works are controlled by the Control of Pollution Act 1974, which sets out appropriate hours of working (these are normally Monday to Friday between 8am and 6pm, Saturday between 8am and 1pm and at no time on a Sunday or Bank Holiday) and sets out how construction works should be carried out to minimise noise and nuisance. An informative highlighting the need to comply with this legislation, which is outside the control of planning, is considered to be appropriate.

Mayor of London's Crossrail CIL & Camden's CIL

The proposal will be liable for both the Mayor of London's CIL and Camden's CIL as the net increase in floorspace of 149.3sq.m exceeds 100sqm GIA. Based on the Mayor's CIL and Camden's CIL charging schedules and the information given on the plans, the charges are likely to be £7,465 (149.3sq.m x £50) for Mayoral CIL and £74,650 (149.3sq.m x £500) for Camden's CIL. An informative is to be attached advising the applicant of these charges.

6. SUMMARY & CONCLUSIONS

From the outset, it is important to note that there is no dispute that the Site is suitable for residential development. Councillors and the Council's Planning and Transport Departments have agreed this Application can be approved on the proviso that a car free obligation is secured. Following the dismissal of a Full Planning Appeal (LPA Ref. Ref 2014/7919/P / PINS Ref. APP/X5210/W/16/3151322), the Applicant has agreed to a 'car free agreement'. A car free agreement would see the Applicant agree to a Section 106 Agreement to remove the occupants' of the basement unit eligibility for Controlled Parking Zone parking permits (excluding disabled / wheelchair housing occupants).

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It is, therefore, respectfully requested that this Application be granted consent.

I trust this letter and supporting documents provide sufficient information and I look forward to receiving formal registration / validation of the Application in due course. However, please let me know should you require any additional information or have any queries.

Yours faithfully,



James Lloyd B.Sc (Hons) M.Sc TCP MRTPI
Managing Director