

Delegated Report		Analysis sheet	Expiry Date:	06/04/2016
		N/A	Consultation Expiry Date:	24/05/2016
Officer			Application Numbers	
Samir Benmbarek			2016/0756/P	
Application Address			Drawing Numbers	
225 Kentish Town Road London NW5 2JU			22209-00 (OS Extract); 22209-01; 22209-02; 22209-03; 22209-04; 22209-07; 22209-08; 22209-09; 22209-10; 22209-P01_RevB; 22209-P02_RevC; 22209-P03_RevB; 22209-P04_RevB; 22209-P05_RevB; 22209-P06; 22209-P07_RevE; 22209-P08_RevA; 22209-P09_RevA; 22209-P10_RevA; 22209-P12_RevA; 22209-P13_RevA; Design and Access Statement; Lifetime Homes Assessment; Noise Assessment by Mayer Brown dated January 2016; Odour Assessment by Mayer Brown dated January 2016	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of 4 storey extension (including mansard roof) above existing ground floor commercial unit (following substantial demolition of existing building) and change of use of building above ground floor level from ancillary retail (Class A1) to residential (Class C3) to provide 2x 1-bedroom flat and 1x 2-bedroom duplex flat.				
Recommendation:		Refuse Planning Permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	22	No. of responses	03	No. of objections	02
Summary of consultation responses:			No. Electronic	00		
	<p>Neighbour consultation letters were sent to adjoining properties on 09 March 2016. Two objections have been received to date from the following addresses:</p> <ul style="list-style-type: none"> • Flat 3, 35 Fortess Road • Research Fellow at University College London <p>The above have objected/commented on the following grounds:</p> <ol style="list-style-type: none"> 1. Information on application form is incorrect; important water course is adjacent to the property (The River Fleet). 2. The proposal would detract from the architectural and historical significance of the part of the street scene along Kentish Town Road as well as the designated Kentish Town Centre Frontage, as well as the number or conservation areas and Listed Buildings in close proximity. 3. The room's heights have been reduced to accommodate the accommodation which is at a compromise to the character and appearance of the building and setting. The shop at ground floor level is also changed. Furthermore the windows are low and small in relation to the neighbouring buildings. 4. Changes to the fascia in which it extends cover the first floor which is contrary to the Council's guidance on shop fronts. 5. The proposed are studio flats 6. No provision for cycle storage 7. No indication of how residential waste and recycling will be stored <p>Officer's Comments</p> <ol style="list-style-type: none"> 1. <i>This discrepancy is not considered to alter the outcome of the application or in how it is determined.</i> 2. <i>It is considered that the proposal in terms of its character and appearance is considered inappropriate to the setting of the building on this particular façade of the Kentish Town Centre Frontage. The proposal has also been considered in relation to it sensitive location to a variety of important buildings and area. Please refer to section 4.0 of this report.</i> 3. <i>The proposed heights of the flats do not meet the London Plan space standards .It is considered the windows of the front façade do not suit in relation to the larger sizes of neighbouring windows. Please refer to section 4 of this report.</i> 4. <i>The fascia changes were approved under application 2015/0756/P.</i> 5. <i>No studio flats are to be proposed. 2X1 bedroom flats and 1x2 bedroom duplex flat are proposed.</i> 6. <i>Cycle storage has been provided after consultation with the Council's transportation department.</i> 7. <i>Waste and recycling details would be secured by condition for details to approve prior to commencement of the development.</i> <p>One comment of support was received to date from the following address:</p> <ul style="list-style-type: none"> • 34 Raglan Street <p>The above have supported with the following comments:</p> <ol style="list-style-type: none"> 1. The proposal would complement Lidl which has a restored frontage. 2. Additional residential accommodation is welcomed <p>Officer's Comments</p> <ol style="list-style-type: none"> 1. <i>It is not considered the character and appearance of the proposal would complement or be appropriate in relation to neighbouring buildings.</i> 2. <i>Camden Council welcomes additional residential accommodation subject to generally adhering to the policies within the Local Development Framework. Please refer to section 3.0 of this report.</i> 					

**CAAC/ National Amenity
Society comments:**

The applicant site is not within a Conservation area and therefore no CAAC were consulted.

Site Description

The application relates to a three storey building on the western side of Kentish Town Road. The building itself is not located within a conservation area but is in close proximity to the Bartholomew, Kentish Town and Kelly Street Conservation Areas. The property is not within a Conservation Area, nor is it a Listed Building but is nearby 213-215 Kentish Town Road which is a Grade II Listed Building.

Relevant History

No. 225 Kentish Town Road:

(Ref 2015/0567/P)- Planning Permission withdrawn (01/09/2015) for the erection of 4 storeys with rear balconies above existing ground floor commercial unit (following substantial demolition of existing building) and change of use of building above ground floor level from Class A2 to Class C3 to provide 4x1 bedroom flats.

(Ref 2015/4655/P)- Planning Permission granted (15/12/2015) for the installation of a new shopfront and replacement of the entrance door at ground floor level associated with the upper floor flats.

No. 1A Anglers Lane:

(Ref PEX0000219)- Planning permission granted (07/06/2000) for the erection of a three storey dwelling. As shown on drawing Nos 101; 102; 103; 104; 105; 106; 07B; 08B and 09A.

Relevant policies

National Planning Policy Framework, 2012

The London 2016

LDF Core Strategy, 2010

- CS5 (Managing the impact of growth and development)
- CS6 (Providing quality homes)
- CS11 (Promoting sustainable and efficient travel)
- CS14 (Promoting high quality places and conserving our heritage)
- CS19 (Delivering and monitoring the Core Strategy)

Camden Development Policies, 2010

- DP5 (Homes of different sizes)
- DP17 (Walking, cycling and public transport)
- DP18 (Parking standards and limiting the availability of car parking)
- DP24 (Securing high quality design)
- DP26 (Managing the impact of development on occupiers and neighbours)
- DP28 (Noise and vibration)

Camden Supplementary Planning Guidance

- CGP1 (Design)
- CPG5 (Town Centres and Employment)
- CPG7 (Transport)

1. Proposal

1.1 Permission is sought for the erection of 4 storeys to include a mansard roof extension following substantial demolition of existing building. This will also involve the change of use of building the first floor and above. This will result in the creation of 2x1 bedroom flats on the first and second floors and a 2 bedroom duplex flat on the third and fourth floor. 86.6sqm of ancillary retail space (A1) will be lost.

1.2 The main issues for consideration are:

- The impact of the change of use from retail (Use A1) to residential (Use C3);
- The quality and standard of the proposed living accommodation;
- The impact of the proposal upon the character and appearance of the host building and nearby conservation areas
- The impact the proposal may have upon the amenity of the occupiers of the neighbouring and potential residential occupiers
- Transport implications

2. Assessment of Change of Use from Retail (Use A1) to Residential (Use C3)

2.1 The host building is located along within the Kentish Town Town Centre, in which there are a mix of uses; namely retail, financial, restaurants and cafes, drinking establishments and offices. The host building is currently in A1 Use (retail) with the ground floor currently in refurbishment to continue operations as a retail unit. This relates to planning application 2015/4655/P in which permission was granted for a new shopfront.

2.2 When assessing the proposal against the Local Development Framework (LDF) policies, retaining retail uses and the vitality of Town Centres is an important aim. In particular, DP13 requires non-retail development to have an effect on the shopping provision or character of the centre which it located within.

2.3 The change of use applies to the first and second floors changing from ancillary A1 Use (retail) to C3 Use (residential). It is considered acceptable within this proposal for the change of use as the ground floor will still continue to operate as an A1 Use and the frontage and function at ground floor level will not be compromised, diminished or removed as a result of the proposal.

3. Assessment of the Quality and Standard of the Proposed Living Accommodation

3.1 The proposal would provide 175.6sqm of residential floorspace to the building including 85sqm of converted A1 ancillary space. The proposed one bedroom flat on first floor level will have a gross internal area (GIA) of 41.4sqm; the one bedroom flat on the second floor level will have a GIA of 42.2sqm; and the duplex two bedroom flat on third and fourth level will have a GIA of 92.0sqm. This exceeds the minimum floor space requirement as stated by the Department of Local Communities and Local Government (DCLG) Technical Housing Standards of 39sqm for a 1bedroom1persons flat and 79sqm for a 2bedroom4persons flat across two storeys.

3.2 The bedrooms sizes across all the proposed flats are acceptable for double bedrooms as they all exceed the DCLG requirement of 11.5sqm.

3.3 The height of the proposed flats does not meet the standard as set out in the London Plan 2016 of a minimum of 2.6m. This standard is set to mitigate the "heat island" effect of London due to its heavy density and strongly encouraged. It is further considered necessary within this site as it is heavily built up. However the flats would meet or exceed the minimum floor to ceiling height in the DCLG Technical Housing Standards (2.3m). Therefore this could not be sustained as a reason for refusal.

3.4 The new dwellings are considered to provide a good standard of residential accommodation in terms of layout, amenity space, room sizes, sunlight, daylight, outlook and ventilation.

3.5 The existing building does not have step-free access to the flats within and therefore the proposed residential flats and additional storeys will not be able to meet all the requirements of Part M4(2) of Building Regulations. However, it is considered acceptable in this context, as the proposal will not worsen the situation on accessibility

to and within the building. A new Part M compliant staircase will be installed at ground floor level for improved access to the upper floors.

4. Assessment of the Character and Appearance upon the Host Building and Surrounding Area

- 4.1 The western side of Kentish Town Road is characterised by three and four storey buildings which terminate at different heights and therefore uniformity is not a characteristic of the roofscape. The character and appearance of the buildings are of a grander scale in terms of size and the design of the buildings (e.g. windows, parapet walls, columns).
- 4.2 In regards to LDF policies, respecting the local character is an intrinsic aim. In particular DP24 require careful consideration of the characteristics of the site, features of local distinctiveness, and the wider context to be demonstrated in order to achieve high quality development which integrates into its surroundings.
- 4.3 In considering the proposal against CPG1 (Design), roof alterations or additions are likely to be unacceptable in the following circumstances:
- There is an established form of roof addition or alteration to a terrace or group of similar buildings and where the continuing pattern of development would help re-unite a group of buildings and townscape;
 - Alterations are architecturally sympathetic to the age and character of the building and they retain the overall integrity of the roof form;
 - There are a variety of additions or alterations to roofs which create an established pattern of development and where further development would not cause additional harm.
- 4.4 Within the proceeding context, the principle of the reconstruction of storeys and mansard roof extension would be considered acceptable. The neighbouring buildings feature mansard extensions and it is not considered the mansard extension would cause additional harm to the character and appearance of either the roof scape or the streetscene.
- 4.5 The form and design of the mansard is considered acceptable and will be constructed in new slate tiles. It will be at a traditional 70/30 degree pitch with the party walls on either side extender higher to accommodate the mansard. It will be positioned behind a parapet wall with painted finish steel railings.
- 4.6 Notwithstanding the above, the external character and appearance of the redeveloped storeys is not considered appropriate or of high quality for a prominent London high street. The design of the development appears compressed in relation to the grander design, appearance and detail of the neighbouring buildings along Kentish Town Road.
- 4.7 The proportions of the front elevation are not in keeping with neighbouring buildings with the proposed windows of a smaller scale and not taking a high proportion of the front elevation in comparison to the existing façade of the host building or the façades of the adjoining properties on Kentish Town Road. Additionally, the use of brickwork on the front elevation is acceptable; however this should be included within the window reveal instead of render.
- 4.8 It is not considered the appearance and design of the rear extension to accommodate the stairwell or the rear elevation of the developed building would have an impact upon the streetscene of the Kentish Town Centre Frontage or the surrounding conservation area as the rear elements of the proposal would not be visible from the public realm.

5. Assessment of the Impacts of Amenity upon Neighbouring and Potential Residential Occupiers

- 5.1 The site is neighbored by a number of buildings with residential uses (mainly on the upper floors) which need to be taken into regard when assessing impacts of amenity. In particular the neighbouring occupiers of concern are the residential units at No. 227 Kentish Town Road and No. 1A Anglers Lane which is located directly to the rear of the application site.
- 5.2 Within the LDF policies, protecting the quality of life for occupiers and neighbours is important. In particular DP26 ensures that development will cause adverse amenity impacts upon neighbours in terms of sunlight, daylight, privacy and overlooking, noise and vibration and odour. Furthermore, DP28 seeks to protect development from noise sensitivity or neighbouring occupiers from potential noise generation from development.
- 5.3 At the front of the site, it is not considered no harm would be caused in regard to the amenity of neighbouring properties by virtue of the location of the works, the distance to occupiers of the opposite side of the street and its setting in a busy London high street.

- 5.4 It is not considered the mansard roof extension would cause undue harm upon the amenity of neighbouring occupiers by virtue of its position upon the roof.
- 5.5 At the rear of the host building a three and a half storey rear extension would be erected to facilitate a stairwell to the new residential units. It will be at a depth of 5.6m and a height of 8.3m. The distance between the rear wall of the extension and the only rear habitable window of 1A Anglers Lane would measure 4.1m. The proposed extension would contribute further to loss of sunlight and daylight that is already experienced from close proximity to 217-223 Kentish Town Road. There would also be adverse harm to the outlook from the only habitable rear window. It is also considered the proposed extension would also cause a material level of harm to the residential occupiers of the first floor rear flat of No. 227 Kentish Town Road in terms of outlook from the rear habitable windows.
- 5.6 A terrace is proposed at first floor level at a depth of 3.6m with access from the proposed rear extension. This would result in a 0.5m void between the end of the terrace and the rear habitable window of 1A Anglers Lane. The terrace is considered to result in a further loss of outlook for the occupiers of 1A Anglers Lane and, more significantly, the terrace presents issues of overlooking and loss of privacy.
- 5.7 In close proximity to the application site at the rear of No. 227 Kentish Town Road is a flue extraction pipe which serves the restaurant at ground floor level (Nando's). As the flue pipe is outside of the application site, the change or manage this impact cannot be changed or managed. A noise and odour assessment was submitted with the application following comments and concerns in the previous planning application about the amenity impacts the flue would present to future occupants of the development.
- 5.8 The assessments were reviewed the Council's Environmental Health Officer who principally had no objections to the proposal in relation to noise, vibration and odour concerns towards the future occupants of the proposal. However this was subject to the followings conditions outlined below should the proposal be granted planning permission.
- 5.9 The first condition set by the Environmental Health Officer would be to submit details to be approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor, ceiling and wall structures separating different types or rooms and uses in the adjoining dwellings. This should be submitted prior to commencement and be implemented prior to occupation of the development and thereafter be permanently retained. The second condition set by the Environmental Health Officer would be to submit a demolition method statement and a construction management plan prior to the commencement of the works. Details should include control measures for dust, noise, vibration, lighting, delivery locations, restriction of hours of work, associated activities audible beyond the boundary wall during construction hours, neighbour notification and interested parties and public display of contact details. The construction management plan would be secured by a S106 agreement should the application be approved.

6. Transport Implications

- 6.1 The site's Public Transport Accessibility Level (PTAL) is 6A and the site falls within the West Kentish Town (Outer) Controlled Parking Zone.
- 6.2 As per the requirement of Policy DP18 of the London Borough of Camden Local Development Framework Local Development Policies, should planning permission have been granted, it would have been subject to a car-free legal agreement to ensure that future occupants of the development are aware that they are not entitled to on-street parking permits. Policy DP18 seeks to ensure car-free development in low parking provision areas, which include high areas of PTAL. In the absence of a legal agreement to secure the residential units as car-free housing, the proposal cannot be supported as this would contribute unacceptable to parking congestion in the surrounding area and promote the use of non-sustainable transport, contrary to policies CS11 and CS19 of the Core Strategy and DP18 of the Local Development Framework Development Policies.
- 6.3 Following initial consultation comments from the Council's Transport Department, 4x vertical cycle parking stands were proposed in the communal landing on the first floor of the development. Although the proposed cycle stands do not entirely comply with Camden's Cycle Parking Standards as detailed in CPG7 (Transport), it is considered acceptable given the constraints of the applicant site.
- 6.4 Further details of how the site will be accessed and serviced during the construction have been requested to be submitted by the Council's Transport Department. In the absence of a legal agreement securing the submission and implementation of a Construction Management Plan, it would be likely to contribute unacceptable to traffic disruption and road safety hazards and be detrimental to the amenities of the area generally, contrary to policies CS5, CS11 and CS19 of the Core Strategy and policies DP20 and DP21 of the Local Development Framework Development Policies..

7. Water Usage

- 7.1 All new build or converted dwellings will be required to achieve 110L per person, per day (including 5L of water for

external use). This would be secured by condition should planning permission been granted.

8. Community Infrastructure Levy (CIL)

8.1 Should the application be granted planning permission, the scheme would have been liable for both the Mayoral CIL and the Camden CIL. This is as the scheme involves a creation of a residential unit.

8.2 Based on the information given on the submitted plans and CIL form, the charge is likely to be £8,780 (175.6sqm x £50) for the Mayor's CIL and £87,800 (175.6sqm x £500) for the Camden CIL.

9. Recommendation

Refuse Planning Permission.

