

Delegated Report		Analysis sheet	Expiry Date:	23/05/2017
		N/A / attached	Consultation Expiry Date:	24/04/2017
Officer			Application Number(s)	
Kristina Smith			2017/1331/P	
Application Address			Drawing Numbers	
71 Falkland Road LONDON NW5 2XB			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Demolition of single storey ancillary storage area (A1) and erection of 2 x two-storey dwelling houses (1x1-bed; 1x2-bed) (C3) fronting Montpelier Grove				
Recommendation(s):	Refused			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	12	No. of objections	12
Summary of consultation responses:	<p><u>A site notice was displayed between 30/03/2017 and 20/04/2017</u> <u>A press advert was published between 06/04/2017 and 24/04/2017</u></p> <p>No's 28 (first floor flat); 28 (second and third floor flat); 29 (first floor); 29 (second and third floor) Montpelier Grove and no's 45; 53; 63; 67; 69A; 69B; 73 Falkland Road objected on the following grounds:</p> <p><i>Principle of development</i></p> <ul style="list-style-type: none"> • Would destroy historic pattern of development in the Conservation area. • increase in housing density will result in a significant change in character towards an even more urban and less green environment. • No room to set-back to properties so will be directly imposing and not in line with the set of the houses in the rest of the street. • Would not enhance the conservation area <p><i>Scale</i></p> <ul style="list-style-type: none"> • This is overdevelopment of what should be a garden. • Increased height would harm the green views from top floor flats • Scale and massing has no relation to surrounding townscape • Would contravene Camden Planning Guidance on rear extensions <p><i>Design</i></p> <ul style="list-style-type: none"> • Poorly designed elevations • The "French window" on the 1st floor is not in character with other buildings in the area. • Not in keeping with the style of surrounding properties <p><i>Residential accommodation</i></p> <ul style="list-style-type: none"> • Poor quality of accommodation in terms of ceiling height and amenity space • Does not appear to comply with building regs <p><i>Amenity</i></p> <ul style="list-style-type: none"> • Lead to feelings of enclosure and overlooking for neighbours on all sides of the proposed building. • Two 2-storey houses would severely impact on the light to gardens and windows • Will harm open view enjoyed by several properties on Montpelier Grove • There will inevitably be an increase in noise from even more people on this overdeveloped site which will further impact on existing residents and their environment. <p><i>Other</i></p> <ul style="list-style-type: none"> • Likely to be poorly maintained as with no.71 Falkland Road • Increase in demand for parking 			

	<ul style="list-style-type: none">• Will lead to more rubbish bins on street• No consultation from neighbours
CAAC/Local groups* comments: *Please Specify	No response

Site Description

71 Falkland Road is an end of terrace 3-storey building located at the corner of Falkland Road and Montpelier Grove, principally residential streets. The property is divided into self-contained flats on all floors with the ground floor flat accessed from Falkland Road and the upper floors units accessed via Montpelier Grove. The property has been extended to the rear to create 71a Falkland Road, a poor quality three storey rear extension.

The host building is within the designated Kentish Town Neighbourhood Plan area, which is pending adoption.

The building is within the Kentish Town Conservation Area and is identified as making a positive contribution to the character; however, the rear extension which is referred to as '71a' in the Kentish Town Conservation Area Statement is identified as one of two buildings that detract from the character and appearance of the conservation area.

Relevant History

2016/1562/P – Change of use from shop (A1 use) to a 2-bedroom self-contained flat at ground floor level; new bay-window plus entrance as replacement for shopfront; including alterations to fenestration. **Granted Subject to a Section 106 Legal Agreement February 2017**

2016/0452/P - Replacement of front elevation first and second floor uPVC windows and side elevation first floor uPVC window with timber sash windows – **Granted March 2016.**

2005/0621/P - Demolition of the existing single storey storage building at the rear of No. 71 Falkland Road and the erection of a two-storey building comprising one two-bedroom and one one-bedroom self-contained residential units – **Refused April 2005 on the following grounds:**

- *The proposal would result in the loss of employment floorspace, to the detriment of economic activity within the borough.*
- *The proposed development is considered unacceptable with regards to residential amenity. More particularly, the design and bulk of the development along the common boundary with the adjoining property, would result in an increased sense of enclosure, loss of outlook and a perceived sense of being overlooked resulting in a reduction in residential amenity to adjoining properties*
- *The proposed development is unacceptable on the grounds of visual amenity. More particularly, its scale and location would close the visual gap between the rear facade of the properties along Falkland Road and the flank wall of the properties along Montpelier Grove destroying the historic pattern of development which exists within the area*
- *The proposed development, in the absence of a legal agreement for car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area contrary to policies*

Relevant policies

LDF Core Strategy and Development Policies

National Planning Policy Framework (2012)

National Planning Practice Guidance

The London Plan 2016

LDF Core Strategy and Development Policies (2010)

CS5 – Managing the impact of growth and development
CS6 – Providing quality homes
CS11 – Promoting sustainable and efficient travel
CS13 – Tackling climate change through promoting high environmental standards
CS14 – Promoting high quality places and conserving our heritage

DP2 – Making full use of Camden’s capacity for housing
DP5 – Homes of different sizes
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 – 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

Supplementary Planning Guidance (updated July 2015)

Camden Planning Guidance

CPG1 – Design (2015)
CPG6 – Amenity (2011)
CPG7 – Transport (2011)
CPG9 – Planning Obligations (2011)

Kentish Town Conservation Area Management Appraisal Strategy (2011)

D3 – Innovative building design
SSP7 – Small sites and infill development

Kentish Town Neighbourhood Plan (Adopted September 2016)

Emerging Local Plan

The Inspector’s report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector’s report, subject to any relevant recommended modifications in the Inspector’s report.

The Local Plan policies relevant to the proposals are:

H1 – Maximising housing supply;
H6 – Housing choice and mix;
H7 – Large and small homes;

A1 – Managing the impact of development;
D1 - Design
D2 - Heritage

T1 – Prioritising walking, cycling and public transport;
T2 – Car-free development and limiting the availability of parking.

Assessment

1. Proposal

1.1 The applicant seeks planning permission for:

- Demolition of single storey ancillary storage area (A1) and erection of 2 x two-storey dwelling houses (1x1-bed; 1x2-bed) (C3) fronting Montpelier Grove

2. Assessment

2.1 The main considerations in the assessment of the application for planning permission are:

- Land use
- Quality of residential accommodation
- Design and impact on host building and the Hatton Garden Conservation Area
- Amenity

2.1 Land use

2.1.1 Housing is regarded as the priority land-use of the Local Development Framework, and the Council will make housing its top priority when considering the future of unused and underused land and buildings. The proposal would provide two additional units and is therefore compliant with policies CS6 and DP2 as long as it meets the Council's residential development standards and does not harm the amenity of existing and future occupiers.

2.1.2 It is proposed that the new units would replace a building previously used for storage ancillary to a shop (A1) use. Given that the retail unit associated with the storage area has now been converted into residential (under planning permission 2016/1562/P dated February 2017), the building now has nil use. Consequently, the reason for refusal relating to loss of employment floorspace under planning decision 2005/0621/P has been overcome.

2.1.2 Policy DP5 (Homes of different sizes) seeks to provide a range of unit sizes to meet demand across the borough and regards 2-bed units as very high priority and seeks to provide 40% of. Policy H7 (Large 7 Small Homes) of the emerging Local Plan identified 2-bed and 3-bed units as high priority. As the policy would provide a 2-bed unit, accounting for 50% of the proposed residential, it would be compliant with DP5 and H7.

2.2 Quality of residential accommodation

2.2.1 The proposed 1-bed flat would measure approx. 41sqm over two floors whilst the 2-bed unit would measure 62sqm over two floors. Both units are compliant with the nationally described space standards.

2.2.2 CPG6 (Amenity) requires developments to have a pleasant outlook. Both properties would be dual aspect; however, the windows to the rear on both ground and first floor would be high level and would not provide adequate outlook for the living rooms, the bedroom of the 1-bed unit and bedroom 2 of the 2-bed unit. The frosted screening in front of the recessed windows would also obscure views from both bedrooms of 'House B'.

2.2.3 CPG6 (Amenity) states that new dwelling should provide sufficient daylight. The kitchen/ living room of the 1-bed flat is unlikely to receive acceptable daylight as it's a large room, lit only by a narrow high level window. In the absence of a daylight assessment to prove otherwise, limited internal

light level will form part of a reason for refusal.

2.2.4 The properties would have some private amenity space in the form of a small courtyard at ground floor level measuring 2.5 sqm (House A) and 3.5 sqm (House B). As well as being undersized, the courtyards would be enclosed in all directions and receive insufficient levels of light to provide valuable amenity space.

2.3. Design and conservation

2.3.1 DP24 requires all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and expect developments to consider:

- a) character, setting, context and the form and scale of neighbouring buildings;*
- b) the character and proportions of the existing building, where alterations and extensions are proposed;*
- c) the quality of materials to be used;*
- d) the provision of visually interesting frontages at street level;*
- e) the appropriate location for building services equipment;*
- f) existing natural features, such as topography and trees;*
- g) the provision of appropriate hard and soft landscaping including boundary treatments;*
- h) the provision of appropriate amenity space; and*
- i) accessibility.*

2.3.2 By virtue of the site being located within the Kentish Town conservation area, the Council has a statutory duty, under section 72 (Conservation Areas) of The Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

2.3.3 The Kentish Town Neighbourhood Plan reinforces the need for high quality building design and states that development must respect the historic appearance of Kentish Town in order to reinforce rather than detract from its local distinctiveness. It continues by saying that inappropriate development has left a legacy of poorly designed frontages that are out of keeping with the local area and have a negative impact on the visual amenity and sense of the area. The Kentish Town Neighbourhood Forum therefore requires new development to be design-led, determined by the nature of the site, its context, the proposed use and urban design objectives.

2.3.4 The site makes an important contribution to the streetscene and conservation area in terms of it being part of the historical street pattern insofar as it denotes the separation between the residential streets of Falkland Road and Montpelier Grove. The Council seeks to preserve these gaps and resist infill development that risks eroding the legibility of original street patterns. Policy SSP7 (small sites and infill development) of the Kentish Town Neighbourhood Plan identifies only three locations suitable for infill development. The application site is not identified as a suitable area.

2.3.5 Although the site is currently occupied by a single storey building, the existing building is clearly secondary to 71 Falkland Road. By virtue of its height and brick construction its appearance is not dissimilar from the kind of boundary wall that would be expected in this location and is indeed evident on the opposite side of the street. Its height allows the rear elevations of the Falkland Road properties to be clearly read as separate from Montpelier Grove. The proposed development would be higher than the existing building and would lead to the infilling of an important gap in the streetscene and wider conservation area. The principle of any increase in height in this location is therefore unacceptable in accordance with the reason for refusal under planning reference 2005/0621/P.

2.3.6 The side building line of 71 Falkland Road is positioned forward of the properties on Montpelier Grove. The existing single storey building allows the front elevation of the properties along Montpelier Grove to be read in views up the street; however, the proposed increase in height would mean that the additional bulk would obscure views up the street to the detriment of the positive contributors and therefore the wider conservation area. As a result of the floorspace demands of the constrained site,

there is no scope to provide setback.

Detailed Design

2.3.7 In terms of detailed design, the principle elevation is considered to be poorly articulated with generally small window openings that appear to have no logic to their positioning, nor demonstrate a response to the surrounding properties on Falkland Road or Montpellier Grove. Features such as the full length windows with glass balustrading at first floor level appear incongruous and out of character with the wider area.

2.4 Amenity of surrounding residential occupiers

2.4.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore, Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for developments to be "designed to protect the privacy of both new and existing dwellings to a reasonable degree" and that the Council will "aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers."

2.4.2 The site is located immediately adjacent to the garden and only approx. 6m from the nearest windows on the rear elevation, of no.69 Falkland Road. Any increase in height on the site is likely to have an unacceptable impact on the daylight/ sunlight received to the windows and garden. The applicant has not submitted a BRE daylight/sunlight test with the application to demonstrate this would not be the case. The neighbouring windows are north facing and the increased height will worsen the existing situation by reducing the daylight to these rooms. The increase in height from will also lead to an increased sense of enclosure. Whilst the windows on the rear elevation are high level or behind obscure glazed screening, there would still be a perception of overlooking to the garden of no.69 Falkland Road. The previous reason for refusal under planning reference 2005/0621/P has therefore not been overcome.

2.5 Transport and Highways

2.5.1 Policy DP18 (Paragraphs 18.12 and 18.13) requires new residential development to provide cycle parking facilities in accordance with the minimum requirements as set out within Appendix 2 of the Camden Development Policies document and the London Plan. The proposed ground floor plan shows one cycle parking space for each unit which would not be sufficient provision for the 2-bed unit. The proposal would need to provide 2 covered, fully enclosed, secure and step-free cycle parking spaces to comply with the minimum requirements of Camden and London Plan cycle parking standards.

2.5.3 The application site is located in an area with a Public Transport Accessibility Level (PTAL) of 5. Given the transport accessibility level of the site a car-free development is required. The applicant has not agreed to enter into a legal agreement for a car-free development.

2.5.4 Construction vehicles servicing this site will have an impact on the surrounding road network. The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. The applicant has not agreed to enter into a legal agreement to secure a Construction Management Plan and associated financial contribution as a planning obligation which is considered unacceptable.

3.0 Recommendation

3.1 Refuse planning permission

