

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		26/05/2017	
		N/A		<b>Consultation Expiry Date:</b>		18/05/2017	
<b>Officer</b>				<b>Application Numbers</b>			
Anna Roe				2017/1435/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
87 - 93 Kingsgate Road, London, NW6 4JY				Refer to Draft Decision Notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<p>Erection of 3<sup>rd</sup> floor roof extension to provide 3 residential flats (Class C3) and erection of 3 storey rear extension to no. 91 to enlarge existing office and flats on ground, 1<sup>st</sup> and 2<sup>nd</sup> floors, following demolition of the existing 2 storey closet wing, plus associated hard landscaping and new entrance facing Messina Avenue.</p>							
<b>Recommendation:</b>		Refuse Permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>	No. notified	N/A	No. of responses	00	No. of objections	00	
<b>Summary of consultation responses:</b>	Advertisement in local press on 27/04/17 – 18/05/17 Site notice displayed on 26/04/17 – 17/05/17						
<b>CAAC comments:</b>	No comments received.						

## Site Description

The site is located on the south eastern corner of the junction of Kingsgate Road and Messina Avenue. The site comprises 4 terraced properties with offices at ground floor and residential uses above. Three of the properties front Kingsland Road whilst the fourth wraps around the corner into Messina Avenue. The site is located on a school route to Kingsland Primary School.

The property is not listed or in a conservation area but is located in the Kilburn Neighbourhood Area.

## Relevant History

No relevant planning history.

### Neighbouring properties

#### Land to the Rear of 87-93 Kingsgate Road

2014/3658/P - Erection of a 3 storey single family dwellinghouse (Class C3). Granted subject to S106 agreement dated 21/01/2015.

2012/2609/P - Erection of a 2 storey 3-bedroom single family dwelling house (Class C3). Granted subject to S106 agreement dated 11/06/2013.

#### 92 Kingsgate Road

2005/3476/P - Erection of a roof extension to create a new third floor to provide additional accommodation for existing maisonette, erection of a rear/side extension at first floor level, creation of two roof terraces at second and third floor levels and alterations to the fenestration at rear second floor level. Granted 10/10/2005.

## Relevant policies

### **National Planning Policy Framework, 2012**

### **London Plan, 2016**

#### **Camden Local Plan 2017**

G1 Delivery and location of growth

H1 Maximising housing supply

H6 Housing choice and mix

H7 Large and small homes

A1 Managing the impact of development

A4 Noise

D1 Design

D2 Heritage

C5 Access for all

CC5 Waste

T1 Prioritising walking, cycling and public transport

T2 Car-free development and limiting the availability of parking

T4 Promoting the sustainable movement of goods and materials

#### **Camden Supplementary Planning Guidance**

CPG1 Design (2015)

CPG2 Housing (2015)

CPG3 Sustainability

CPG6 Amenity (2011)

## **Technical Housing Standards – Nationally Described Space Standard, 2015**

### **Assessment**

#### **1. Proposal**

- 1.1 It is proposed that a single storey flat roof extension be constructed on the roof of the existing properties to create 3 one bedroom residential units.
- 1.2 The new units would be accessed from a new entrance on Messina Avenue at the rear of 91 Kingsland Road. A 3 storey rear extension would also be constructed to provide access to the new units and to enable the reconfiguring and enlargement of the existing residential units.
- 1.3 The proposals include enclosing the existing forecourt on Messina Avenue near the junction with Kingsgate Road.

#### **2. Assessment**

The principal considerations material to determining the application are:

- Land use principles
- Living standards of future occupiers
- Transport
- Design – the impact on the character and appearance of the host property and the wider area
- Amenity - the impact on neighbouring amenity
- Sustainability

#### **3. Land use principles**

- 3.1 Policy G1 (Delivery and location of growth) promote efficient use of land and buildings in Camden and supports growth in accessible locations.
- 3.2 The Council's position with regard to the provision of housing is set out in policy H1 (Maximising housing supply) whereby the Council seeks to maximise the supply of additional homes in the borough.
- 3.3 The residential portion would be expanded and hence the development would increase housing supply in the borough and is welcomed in accordance with the above policies.
- 3.4 Policies H6 (Housing choice and mix) and H7 (Large and small homes) seek to secure mixed and inclusive communities and a range of self-contained homes of different sizes. All proposals should include some dwellings that meet the high priorities, as identified in the dwelling size prioritise table, wherever it is practicable to do so. Council has prioritised some sizes as high priority (primarily on the basis of a high level of need relative to supply), notably 2 bedroom units.
- 3.5 It is proposed to provide 3 one bedroom residential units all at market rate. One bedroom market units have a lower need and would not comply with the priorities of dwelling sizes advocated in the Dwelling Size Priorities Table in paragraph 3.158 for Policy H7 (Large and small homes).

#### **4. Living standards of future occupiers**

- 4.1 Policy H6 (Housing choice and mix) requires new development to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space; facilities for storage, recycling and disposal of waste; facilities for bicycle

storage; and private outdoor amenity space.

- 4.2 The Department of Communities and Local Government (DCLG) has set minimum space standards to ensure rooms are large enough to take on varying uses. The overall floor space in new dwellings should meet the minimum standards set out in 'Technical Housing Standards – Nationally Described Space Standard' 2015.
- 4.3 The current national housing standards require a 1 bed, 1 person unit with shower room to provide 37 square metres of floor space and a 1 bed, 2 person unit to provide 50 square metres of floor space.
- 4.4 Two of the units do not meet the National Space standards – the 1 bed 1 person unit is shown having a double bedroom capable of accommodating a double bed for 2 people and only provides 37sqm, much less than the 50sqm standard for a one bedroom unit; the 1p studio flat is 36sqm, marginally less than the 37sqm standard for a studio.
- 4.5 It is considered that all the rooms in the new dwellings would be able to function for the purposes for which they are intended and would have an adequate size, shape, door arrangement and ceiling height. All new units would each benefit from a roof terrace at the front of the building. All new habitable rooms would have access to natural daylight and have full height windows / doors to maximise internal light levels.
- 4.6 All of the flats would be accessed from the communal hallway and all would be fully self-contained. The entrances would be on the ground level and all levels would be accessible via a staircase.
- 4.7 As the proposal is an extension to an existing building it will only need to meet Approved Document M Volume 1 Category 1. There are areas that don't meet that requirement-
- There should be 750mm in front of the WC pan, clear of door swing. This has not been achieved.
  - The door to the WC facilities should open outwards,
  - Stairs need to meet AD K for a general access stair.
- These issues can be resolved in detailed design if the scheme was to be recommended for approval.

## **5. Transport**

### Cycle and Car Parking

- 5.1 The site has a PTAL score of 5 which indicates that it has a good level of accessibility by public transport. The nearest station is West Hampstead Underground station, located to the northeast of the site, whilst the nearest bus stops are located to the west on Kilburn High Road.
- 5.2 In line with Policy T2 of the Local Plan, all 3 residential units should be designated as being car free, i.e. the future occupants would be unable to obtain on-street parking permits from the Council. This arrangement would have been secured by means of a Section 106 Agreement with the Council has the proposal been acceptable.
- 5.3 The Council expects cycle parking at new developments to be provided in accordance with the standards set out in the London Plan. For 1 bedroom residential units this requires the provision of 1 space per unit, giving a total requirement of 3 spaces for this development.
- 5.4 Only 2 cycle spaces are shown on the rear yard area, which is below the required standard; however the plan can easily be revised to accommodate the required number.

## Managing the impacts of construction on the surrounding highway network

- 5.5 Local Plan Policy T4 states that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). For some developments this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).
- 5.6 Whilst construction traffic flows are likely to be fairly low, due to the amount of construction required and the proximity of the site to Kingsgate Primary School, a CMP should be secured. The primary concern is public safety but officers also wish to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality, temporary loss of parking, etc.). 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. A CMP would have therefore be secured as a Section 106 planning obligation if the proposal had otherwise been acceptable. This should include a CMP Implementation Support Contribution of £1,140.
- 5.7 In addition it would be necessary to secure a financial contribution for highway works (repaving the footway) directly adjacent to the site on Messina Avenue to allow for any damage caused during construction of the proposed development to be repaired. This would also be secured by a S106 Agreement if planning permission was granted.

## **6. Design – the impact on the character and appearance of the host property and the wider area**

- 6.1 The application site is located at the end of the terrace where Messina Avenue meets Kingsgate Road. The terrace is formed of three storey properties and is unaltered with a recurring pattern of valley roofs, which provide visual interest and break up the roofline of this row of properties.
- 6.2 No. 92 Kingsgate Road on the opposite side of the terrace has a mansard which was granted permission in 2005. Planning policies have altered since then by virtue of the LDF and now the Local Plan. It is not considered that this extension sets a precedent for this row of properties.
- 6.3 CPG1 on Design advises that roof alterations or additions are unlikely to be acceptable where buildings are already higher than neighbouring properties and where complete terraces have a roofline which is largely unimpaired by alterations or extensions.
- 6.4 The proposed roof extension would add excessive bulk and height to an unaltered roofline and would be out of keeping with the unaltered character of the terrace as a whole. As such, the proposal is considered unacceptable in principle.
- 6.5 The proposal would also result in the loss of the valley roofs to the rear of the properties thereby losing a traditional roofscape feature and disrupting the existing rhythm and form of the existing row of valley roofs here. It is noted that these rear valley roofs are an important part of the roofscape and clearly visible from the public realm in Messina Avenue.
- 6.6 The shape and massing of the proposed extension would not relates to the proportions of the existing building particularly when viewed from the side elevation The detailed design fails to reference the existing façade and the uniformity of the existing building is not followed through to the proposed roof extension.
- 6.7 In addition to the above, the size, location and design of the windows in the roof extension would not bear any resemblance to those in the main building.

6.8 The second part of the proposal is to demolish the existing closet wing of No. 93 Kingsgate Road and construction of a 3-storey rear extension to eaves level, incorporating a flat roof, to provide access to the new units and to enable the reconfiguring of the existing residential units.

6.9 CPG1 indicates that unsympathetic rear/side extensions can alter the harmony and balance of a group of buildings, and that rear extensions will not be acceptable where they would diverge significantly from the historic pattern. Rear extensions that are higher than one full storey below roof eaves/parapet level, or that rise above the general height of neighbouring projections and nearby extensions, will be strongly discouraged.

6.10 The closet extensions to the rear of No 77-93 are uniform in scale and design. They are all set below main eaves level and this appears as a characteristic feature of the rear elevations on the houses, including when seen from Messina Avenue.

6.11 In this case, and in the light of the general degree of uniformity in the basic design and scale of the existing rear closet extensions, it is considered that the proposed extension would be detrimental to the harmony of the group of buildings, which are visible in part from Messina Avenue. As such, the proposal would fail to preserve or enhance the character and appearance of the area.

6.12 For the reasons outlined above, both the mansard and rear extension would cause harm to the character and appearance of the building, the terrace to which it belongs, and the surrounding area and as such would conflict with policy D1 and design guidance in CPG1 which, amongst other things, require new development to respect local context and character.

## **7. Amenity - the impact on neighbouring amenity**

7.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Permission should only be granted for development that would not harm the amenity of neighbouring residents.

### Daylight / Sunlight

7.2 In terms of sunlight and daylight, no impact study has been submitted; however on balance it is considered that reductions in daylight and sunlight to the neighbouring residential properties would be small. All neighbouring windows and rooms would continue to receive good daylight and sunlight amenity after development. Overall, the proposal is considered to be acceptable in this respect.

### Privacy

7.3 Policy A1 notes that there should normally be a minimum distance of 18 metres between the windows of habitable rooms of different units that directly face each other to prevent overlooking. This cannot be achieved at the application site.

7.4 The proposed new windows are clustered to the northern and western elevations. Located to the west of the site across Kingsgate Road are Nos. 76-92 which would appear to provide residential accommodation at first floor level and above.

7.5 Although the separation distance is less than the required standard, a similar relationship between buildings in the street already exists, thus there is unlikely to be an harmful increased level of overlooking. In a narrow urban setting such as this, some degree of overlooking between facing units would be expected by future occupiers.

## **8. Sustainability**

8.1 Policy CC1 (Climate change mitigation) notes that the Council will require all development to take measures to minimise the effects of, and adapt to, climate change and the policy

encourages all development to meet the highest feasible environmental standards that are financially viable during construction and occupation.

8.2 No details have been submitted in respect of this; had the proposal otherwise been acceptable, further information would have been requested.

## **9. CIL**

9.1 Had the proposal otherwise been acceptable, it would have been liable for the Mayor of London and Camden Community Infrastructure Levy (CIL) as the scheme involves more than 1 dwelling and 100 sqm floorspace. The Mayoral CIL rate in Camden is £50/sqm and the Camden CIL rate for residential development (below 10 dwellings) in Zone A is £500/sqm.

## **10. Recommendation**

Refuse Permission