

Delegated Report (Refusal)		Analysis sheet		Expiry Date:	19/03/2018
		N/A		Consultation Expiry Date:	16/02/3018
Officer			Application Number(s)		
Tessa Craig			2017/6847/P		
Application Address			Drawing Numbers		
338 Kilburn High Road London NW6 2QN			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of part single, part double height mansard roof extension to create 2 x 1 bedroom units and 1 x 2 bedroom unit (Use Class C3).					
Recommendation(s):		Refuse Planning Permission			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	02	No. of objections	02
Summary of consultation responses:		Site notices were displayed 26/01/2018-16/02/2018. Two responses were received from 7 Iverson Road and NW6 7FB objecting to the proposal based on impact on skyline and conserving the appearance of the building and scale and previous reasons for refusal not being addressed.			
CAAC/Local groups* comments: *Please Specify		n/a			

Site Description

The application site is located on the corner of Iverson Road and Kilburn High Road with the principal elevation on Iverson Road. The building is a four storey terrace with an A1 commercial use on the ground floor and permission for C3 use on the first, second and third floors (Granted permission for residential units on the first, second and third storeys 2014/0548/P & 2014/7304/P).

The site is located between Brondesbury and Kilburn train stations and has been used historically for commercial uses.

The site is not within a conservation area and nor is the building listed.

Relevant History

338 Kilburn High Road (Application site)

Ref – 2016/6270/P- Refused February 2017. Appeal APP/X5210/W/17/3174423 dismissed.

Erection of part single, part two storey roof extension to create 1 x 1 bed and 2 x 2 bed self- contained units.

Main reason for refusal- the effect of the proposal on the character and appearance of the host property and surrounding area. The Planning Inspectorate concluded *'the proposal would materially harm the character and appearance of the host property and the area thereby conflicting with Policy D1 of the LP which requires, amongst other things, development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area'*.

Ref – 2015/3445/P – Granted September 2015.

Erection of a single storey mansard roof extension creating 1 x 2 bedroom & 1 x 1 bedroom units.

Ref – 2014/7304/P – Granted Prior Approval January 2015 (Subject to Section 106 Legal agreement)
Change of use from offices (Class B1a) to 3 x 2 bedroom flats (Class C3) at 1st, 2nd and 3rd floor levels.

Ref – 2009/2014/P – Refused November 2009

Change of use for part of existing Barber shop (Use Class A1) to 24 Hour mini cab office (Sui Generis).

Ref – 9200460 – Granted July 1992

Change of use from office use (Class B1) to financial and professional services (Class A2).

2A Iverson Road (Application site)

Ref 2014/0548/P – Grant prior Approval March 2014 (Subject to S106 legal agreement)

Change of use of 1st, 2nd and 3rd floor levels from office (Class B1) to 3 residential flats (Class C3)

377 & 377A Kilburn High Road

Ref – 2007/3428/P – London Borough of Brent Planning application (Request for Camden Observation in 2007)

The erection of an additional storey to a residential building of 3, 4 and 6 storeys high, to provide 6 new flats (1 x 1 and 5 x 2 bed units)

Spring Court – Iverson Road

Ref 8501106 – Granted August 1985

Redevelopment of the site to provide sheltered flats for the elderly with Wardens Flat and ancillary accommodation. Further application for amendments to roof and eaves detail of original planning permission. Ref: PL/8500107(outline Planning ref.G3/7/2/8400500)

Relevant policies

National Planning Policy Framework (2012)

London Plan 2016

Camden Local Plan 2017

G1 Delivery and location of growth

H1 Maximising housing supply

H4

H6 Housing choice and mix

H7 Large and small homes

A1 Managing the impact of development

D1 Design

CC1 Climate change mitigation

CC2 Adapting to climate change

CC3 Water and flooding

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

DM1 Delivery and monitoring

Camden Planning Guidance (CPG)

CPG1 Design (2015)

CPG2 Housing (2015)

CPG3 Sustainability (2015)

CPG4 Basements and Lightwells (2015)

CPG6 Amenity (2011)

CPG7 Transport (2011)

CPG8 Planning Obligations (2015)

Assessment

1. Proposal

1.1. Planning permission is sought for the erection of a part single, part two storey roof extension to create 2 x 1 bed and 1 x 2 bed self-contained residential units. The extension is to take the form of a double height mansard with the fifth floor in the upper slope of the mansard setback from the east elevation of the fourth floor below. The fourth floor would sit behind the existing parapet (0.8m high). The total height of the extension would be 5.1m, with the widest part on the Kilburn High Road elevation being 6.9m and the Iverson Road elevation being 21.7m. Each floor would have an internal height of 2.3m. The fifth floor extension shall include a roof terrace (9sqm) with a 1.6m high parapet.

1.2. The materials are to be black imitation slate for the roof slopes and the proposed windows are to be conservation style rooflights. The fourth floor would include six windows in the Iverson Road elevation, three on the Kilburn High Road elevation and one in the corner and the fifth floor would include three in the Iverson Road elevation and one in the Kilburn Hugh Road elevation. The proposal results in 188m² of additional floor space. The proposed units are:

Flat	M ²	Bedrooms/Persons
Flat 1 (Fourth Floor)	51	One/Two
Flat 2 (Fourth Floor)	64	Two/Three

1.3. The main considerations in relation to this proposal are:

- Quality of Residential Accommodation;
- Design and Appearance;
- Impact on Neighbours;
- Transport Implications.

2. Assessment

Quality of Residential Accommodation

- 2.1. Policy 3.5 of the London Plan promotes high quality design of housing development that takes into account its physical context, local character, density, tenure and land use mix and relationship with, and provision for public, communal and open spaces taking into account the needs of children and older people.
- 2.2. Policy H7 of the Camden Local Plan sets out priorities for dwelling sizes in Table 1. This seeks to ensure that all residential development contributes to the creation of mixed and inclusive communities by securing a range of homes of different sizes. The proposed extension would create 1 x 2 bedroom and 2 x 1 bedroom units. Two bedroom dwellings are considered a high priority within Camden and the addition of 2, 1 bedroom dwellings, although considered low priority increases the capacity for greater dwellings in Camden according with policy H1(Maximising housing supply).
- 2.3. New residential units should provide a high standard of living accommodation for the prospective occupiers whilst maintaining the amenities of the neighbouring residential properties. In line with the Nationally Described Space Standard introduced in March 2015: 1 bed, 2 person dwellings over a single storey should have a minimum gross internal floor area of 50sqm and 1.5sqm of built-in storage; 2 bed, 3 person dwellings should have a minimum gross internal floor area of 61sqm and 2.0sqm of built-in storage. The proposed additional flats would meet these space requirements and the development is considered acceptable in terms of the quality of residential accommodation to be provided.

Design & Appearance

- 2.4. Policy D1 seeks the highest standard of design. Camden Planning Guidance 1 (Design) paragraphs 4.10-4.15 states that extensions should be designed proportionally in relation to the existing buildings and groups of buildings and in particular should be secondary to the building being extended in terms of form, scale and proportions.
- 2.5. Camden Planning Guidance (CPG1: Design) states that a roof alteration is likely to be considered unacceptable in circumstances such as the presence of unbroken runs of valley roofs or where complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations and extensions. It adds that a roof addition is likely to be unacceptable where the proposal would have an adverse effect on the skyline, the appearance of the building or the surrounding street scene.
- 2.6. The site is a prominent and handsome four-storey brick building of the 19th-century, attractively articulated with projecting string courses and a substantial dentil course around the frieze. It forms a corner block on a crossroads, facing a 19th-century building of three storeys, a 20th-century building of five storeys plus "mansard", and a 20th-century building of five

storeys. In long views from the north, it forms a pair with the North London Tavern, facing, to which it is similar in size, period and form, each having a bevelled corner and similar ridge height.

- 2.7. A similar scheme for 2016/6270/P (Erection of part single, part two storey roof extension to create 1 x 1 bed and 2 x 2 bed self- contained units. APP/X5210/W/17/3174423) proposed a more modern design and was refused by the Council and dismissed on appeal. The Planning Inspectorate concluded *the proposal would materially harm the character and appearance of the host property and the area thereby conflicting with Policy D1 of the LP which requires, amongst other things, development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area.*
- 2.8. Whilst the revised design attempts a more traditional mansard style with imitation slate and conservation style rooflights, the proposed part single, part two-storey roof extension is still considered to be over-scaled and out of proportion with the host building, and unsympathetic to the host building, being overly prominent, and failing to relate to the host building. It is not considered that the reasons for refusal have been overcome simply by changing the design and materials of the roof extension, as the bulk would remain largely the same. The bulk would remain visible in longer views and unacceptably detract from the character of the building and its presence in the streetscene.
- 2.9. The existing building relates well to its immediate neighbours, being only one storey taller than them yet forming an emphasis to strengthen the corner. It also relates well to the pub opposite, as mentioned above. Adding two storeys to it would increase its size by almost 30% at the corner, greatly increasing the bulk and mass of the building.
- 2.10. While it is true that the building across the junction is six storeys tall, it is designed of a piece, with only the top floor designed to read as a mansard, and co-operating with the storeys below in design, materials and scale. Overall, it is considered the bulk and mass are unacceptable.
- 2.11. The principle of a fourth floor extension has already been accepted by virtue of planning permission 2015/3445/P (Erection of a single storey mansard roof extension creating 1 x 2 bedroom & 1 x 1 bedroom units). However, it is the fifth floor that is in contention. The applicant has pointed to a number of examples nearby as justification for the top floor of the proposal, but the Council does not consider these examples relevant. The Planning Inspectorate agreed with the Council, *'I am not persuaded that any of the examples put before me are directly comparable to the appeal scheme either in terms of their architectural and historic form or their context. The buildings at 377 and 357-363 Kilburn High Road are standalone new builds which are located in a different local authority area and were therefore assessed under a different policy context and prior to the publication of the Framework. For these reasons I attach little weight to these examples'*.
- 2.12. Overall, the reasons for refusal have not been overcome by the current proposal and would remain unacceptable in design terms.

Neighbouring Amenity

- 2.13. Policy A1 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 'aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers'.
- 2.14. The proposed part single, part two storey extension is not considered to result in unreasonable harm to neighbouring amenities. There would be no direct overlooking into residential

properties and the location of the extension would not be likely to lead to overshadowing.

- 2.15. The noise levels resulting from the roof top units are not considered to harm amenity on account of the proposed residential use, height and existing levels of noise from Kilburn High Road. The creation of three additional units is not considered to alter the existing noise conditions typical of an existing residential building.
- 2.16. The addition of three residential units does not meet a threshold that would warrant waste collection from a designated off street location. Camden Guidance states that the development of 6 or fewer dwellings, are usually serviced by a kerbside waste and recyclables collection.
- 2.17. The set-back slope of the proposed mansard and the presence of a parapet roof reduces the angle of outlook and line of sight from the windows of the proposed mansard. The reduced angle and height of the windows in relation to neighbouring buildings is not considered to result in harm to the privacy of dwellings on either side of Iverson Road, meeting guidance in CPG3. The high parapet surrounding the proposed roof terrace would prevent any overlooking from occurring.

Transport

Highways contribution

- 2.18. Policy T3 seeks to protect existing transport infrastructure. It is therefore necessary to secure a financial contribution for highway works (repaving the footway) directly adjacent to the site as a Section 106 planning obligation if planning permission is granted. This would allow for any damage caused during construction of the proposed development to be repaired and enable the proposal to comply with Development Policy T3. The Highways Contribution is £8,673.37 and would form part of the S106 Agreement if planning permission were to be granted.

Construction Management Plan

- 2.19. Policy A1 advises Construction Management Plans (CMP) will be used to manage the impact of development during the construction phase. Given the site is surrounded by residential properties, a CMP is considered appropriate. A CMP must therefore be secured as a Section 106 planning obligation if planning permission were to be granted. A monitoring contribution would also be required (£3,136). A CMP would need to be submitted once a Principal Contractor has been appointed, and would need to be approved by the Council prior to any works commencing on site.

Car-free development

- 2.20. The site has a PTAL score of 5, which indicates that it has a very high level of accessibility by public transport. The nearest station is Brondesbury, located to the south of the site whilst Kilburn station is located to the north. The nearest bus stops are located on Kilburn High Road and Cavendish Road.
- 2.21. The site is located within Controlled Parking Zone CA-Q (Kilburn) which operates between 8.30am and 6.30pm Monday to Friday. The nearest on-street Resident parking bays are located to the east of the site on Iverson Road. No off-street parking is currently provided and none is proposed.
- 2.22. In line with Policy T2 of the adopted Local Plan, in order to reduce car use and encourage walking and cycling, all new residential development in the Borough is to be designated as being car free, i.e. no off-street parking is provided and the future occupants are prevented from obtaining on-street parking permits from the Council. As a s106 legal agreement has not been entered into to secure car-free development, the proposal would be unacceptable in this regard. This could be overcome if the proposal were otherwise acceptable.

Cycle storage

2.23. Secure cycle storage for a capacity of three cycles has been provided on site at ground floor. One secure cycle space per 1 bed unit and two for 2 bedroom units is expected, Whilst this is slightly less than the level required by the standard it is considered to be acceptable in this instance. The storage is located on the ground floor providing excellent access to Iverson road in accordance with Camden policy. The cycle details would be secured via condition of consent if the proposal were otherwise acceptable.

Community Infrastructure Levy

2.24. The proposal represents an increase of 3 units and an increase in the floor space of approximately 188sqm. The development is therefore liable for the Camden CIL payment Zone B tariff of £500 per square meter, which if otherwise acceptable would be payable on commencement of the development.

Affordable Housing Contribution

2.25. Policy H4 advises any additional residential unit created and where the floorspace is over 100sqm (188sqm in this case) is liable for an affordable housing contribution. The sliding scale starts from a target of 2% where there is capacity for one additional home, and increases on a 'straight-line' basis. Capacity for each further additional dwelling (or each 100sqm GIA additional floorspace) increases the target by 2%. This is calculated as 4% (the affordable housing target) of 188sqm (the GEA) which results in 7.52sqm. The value for this is then multiplied by £2,650 to get the payment figure of £19,928. A contribution of £19,928 would be required to be secured via legal agreement if the proposal were otherwise acceptable.

3. Recommendation: Refuse Planning Permission

3.1. The proposed bulk, mass and detailed design is considered unacceptable and harmful to the host building and streetscene and should be refused. In the absence of a s106 legal agreement securing car-free development, a Construction Management Plan and contribution for monitoring the plan, a Highways Contribution and an Affordable Housing Contribution the development is considered unacceptable.