



**TOWN AND COUNTRY
PLANNING ACT 1990**

**Planning Design and
Access Statement**

**Amalgamation of two flats into
one dwelling house, with a rear
single-storey infill extension**

**32 Kylemore Road
Camden
London NW6 2PT**

On behalf of Mr R Bernard

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1. INTRODUCTION

- 1.1 This Planning Design and Access Statement has been prepared to support an application for alterations and extension of 32 Kylemore Road in Camden, London. This includes provision of a rear single storey infill extension to the lower ground floor level. The application is also to amalgamate two flats into one dwelling house.
- 1.2 The purpose of the Planning Design and Access Statement is to review the prevailing planning policies and other material considerations that are relevant to the determination of the application and to present a case for granting permission.

2. SITE AND SURROUNDING AREA

- 2.1 This application relates to 32 Kylemore Road in Camden, London. The dwelling is a two-storey house with a 3-storey return; with split floor internal arrangement. Historically, it has been used as two flats. The street contains a series of terraced properties which are all similar in age and design. The street scene is characterised by double height bay windows, semi-private front gardens, and on-street parking provision to either side of a tree-lined road, which is permit controlled.
- 2.2 The majority of the properties along Kylemore Road feature traditional brick wall materials and slate roofs. Although providing a degree of continuity to the overall appearance, a number of properties have been either painted or rendered, along with the incorporation of loft conversions, evidenced by rooflights facing the street. Basement/lower ground floor conversions are also common place.
- 2.3 To the rear, there are three storey outriggers to each property. Alteration to the rear facades are more varied than the street elevation, with a variety of rear and side infill extensions, along with loft conversions and some raised terraces.
- 2.4 The property is in close proximity to a number of local facilities, including the Kilburn High Road Local Centre and Kilburn Grange Park (circa 200 metres away). Its location provides access to facilities, augmented by access to regular bus services from the Local Centre as well as by rail from Brondesbury and West Hampstead railway stations, both less than 5 minutes' walk away.
- 2.5 The property is not statutorily Listed, and does not lie within a Conservation Area. The site is set within the Fortune Green and West Hampstead Neighbourhood Plan area, which was adopted in 2015.

3. PROPOSED DEVELOPMENT

- 3.1 There are two elements to this application. Firstly, to amalgamate two flats into one dwelling house, and secondly to extend the property at lower ground floor level.
- 3.2 The property was formally used as two flats and has already been reverted back to a single dwelling. This provides a four bedroom house to which this application seeks to regularise.
- 3.3 The lower ground floor extension infills the space to the side of the existing rear return. Set on the boundary with number 34, the extension is 1.8 metres in width and 6.5 metres in length. It will align to the rear with the existing outrigger and be set below a very shallow

pitched roof. The eaves are set at 2.7 metres, rising to 3.0 metres where it connects with the existing outrigger. The roof is to be concealed behind a rear parapet wall, 3.2 metres in height. The existing rear window will be replaced by a set of central French doors, with flanking full height fixed windows.

- 3.4 The proposed external works will be finished in brick to match the existing property, plus a slate effect roof over the rear extension.

4. PLANNING POLICY

- 4.1 The starting point for assessing development proposals is the Development Plan. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states *“if regard is to be had to the development plan for the purpose of any determination made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.”* The Development Plan for this proposal consists of the London Plan, the Camden Local Plan 2017, and the Fortune Green and West Hampstead Neighbourhood Plan.

- 4.2 In addition, the Government’s National Planning Policy Framework (NPPF) is an important material consideration for determining planning applications.

The National Planning Policy Framework (March 2012)

- 4.3 The NPPF sets out the Government’s planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through plan-making and decision-taking. This means:-

- approving development proposals that accord with the Development Plan without delay
- where the Development Plan is absent, silent or relevant policies are out-of-date, granting permission unless:-
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole
 - specific policies in this Framework indicate development should be restricted

- 4.4 Good design is a key aspect of sustainable development and is indivisible from good planning. High quality and inclusive design should be planned for through all developments, relating to individual buildings, public and private spaces and wider area development schemes (paragraphs 56 – 57).

- 4.5 Planning policies and decisions should aim to ensure that developments:-

- will function well and add to the overall quality of the area
- establish a strong sense of place
- optimise the potential of the site to accommodate development and support local facilities and transport networks

- respond to local character and history and reflect the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation
- create safe and accessible environments
- are visually attractive as a result of good architecture and appropriate landscaping (paragraph 58)

London Plan (Adopted 2011, Updated March 2016)

- 4.6 The London Plan is a strategic spatial planning document produced as a result of the Greater London Authority (GLA) legislation requiring the Mayor of London to produce a ‘Spatial Development Strategy’. Boroughs local development documents have to be in general conformity with the London Plan, which needs to be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not. The following policies are considered relevant to the proposal.

Policy 7.1 Lifetime Neighbourhoods

- 4.7 The policy promotes Lifetime Neighbourhoods to provide people with a good quality environment in an active and supportive local community.

Policy 7.4 Local Character

- 4.8 The policy states that *“buildings, streets and open space should provide a high quality design response that:*
- *has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass;*
 - *contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area;*
 - *is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings;*
 - *allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area; and*
 - *is informed by the surrounding historic environment”.*

Policy 7.6 Architecture

- 4.9 The policy states that *“architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.*

Buildings and structures should:

- a. be of the highest architectural quality*
- b. be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm*
- c. comprise details and materials that complement, not necessarily replicate, the local architectural character*

- d. *not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate*
- e. *incorporate best practice in resource management and climate change mitigation and adaptation*
- f. *provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces*
- g. *be adaptable to different activities and land uses, particularly at ground level*
- h. *meet the principles of inclusive design*
- i. *optimise the potential of sites*

Camden Local Plan (adopted June 2017)

- 4.10 The Camden Local Plan covers the period 2016-2031. Policies considered relevant to the proposal are set out below.

Policy H3 Protecting existing homes

- 4.11 The Council will aim to ensure that current housing continues to meet the needs of existing and future households by:-
- a. resisting development that would involve a net loss of residential floorspace
 - b. protecting housing from permanent conversion to short-stay accommodation intended for occupation for periods of less than 90 days
 - c. resisting development that would involve the net loss of two or more homes, from individual or cumulative proposals.

Policy A1 Managing the impact of development

- 4.12 The Council will seek to protect the quality of life of occupiers and neighbours. The Council will grant permission for development unless this causes unacceptable harm to amenity. The Council will:-
- a. seek to ensure that the amenity of communities, occupiers and neighbours is protected
 - b. seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities
 - c. resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network
 - d. require mitigation measures where necessary

- 4.13 The Council will consider the following factors:-

- visual privacy, outlook

- sunlight, daylight and overshadowing
- artificial lighting levels
- transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans
- impacts of the construction phase, including the use of Construction Management Plans;
- noise and vibration levels
- odour, fumes and dust
- microclimate
- contaminated land
- impact upon water and wastewater infrastructure

Policy D1 Design

- 4.14 The Council will seek to secure high quality design in developments. The Council will require that development:-
- a. respects local context and character
 - b. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation
 - c. is of sustainable and durable construction and adaptable to different activities and land uses
 - d. comprises details and materials that are of high quality and complement the local character
 - e. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage
 - f. is inclusive and accessible for all
 - g. is secure and designed to minimise crime and antisocial behaviour
 - h. responds to natural features and preserves gardens and other open space
 - i. incorporates outdoor amenity space
 - j. for housing, provides a high standard of accommodation

- k. carefully integrates building services equipment.

Policy CC5 Waste

- 4.15 The Council will make Camden a low waste borough and “*make sure that developments include facilities for the storage and collection of waste and recycling*”.

Fortune Green and West Hampstead Neighbourhood Plan (adopted September 2015)

- 4.16 The following policy is considered relevant to this proposal.

Policy 2: Design and Character

- 4.17 All development shall be of a high quality of design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead. This shall be achieved by:-

- i. Development which positively interfaces with the street and streetscape in which it is located.*
- ii. Development which maintains the positive contributions to character of existing buildings and structures.*
- iii. Development which is human in scale, in order to maintain and create a positive relationship between buildings and street level activity.*
- iv. Development which has regard to the form, function, structure and heritage of a place – including the scale, mass, orientation, pattern and grain of surrounding buildings, streets and spaces.*
- v. A presumption in favour of a colour palate which reflects, or is in harmony with, the red brick and London stock brick of existing development.*
- vii. Extensions - and infill development - being in character and proportion with existing development and its setting, including the relationship to any adjoining properties.”*

Other Relevant Documents

London Plan - Housing Supplementary Planning Guidance (SPG) Private Outdoor Space

- 4.18 All new housing is required by the London Housing SPG to provide a minimum of 5 square metres of private outdoor space for 1-2 bedroom units and an extra 1 square metre for each additional occupant (Housing SPG Standard 4.10.1). This is a minimum standard and will be required of all residential development. Typically this will be supplemented by additional space, which can take the form of either additional garden space (private or communal), and/or public open space (incorporating child play space, allotments or space for active recreation). In certain circumstances it may be appropriate and preferable to secure a financial contribution in place of space provision. A choice therefore exists in terms of the form that this provision takes, which will need to be determined having regard to the specific circumstances of a case and its context.

5. RELEVANT PLANNING HISTORY

Application site

Application for Certificate of Lawful Development (CLD) – existing use (2018/0374/P)

- 5.1 A Certificate for Lawful Development was submitted on 5 February 2018 for the regularisation of the host dwelling as one dwelling house from two flats. As the Council has since informed the applicant that they are unwilling to support this CLD application, it has been withdrawn; the proposed amalgamation of the two flats now forms part of this application.

Other relevant applications

7 Kylemore Road. Change of use of two self-contained flats to a single-family dwelling house (2012/2494/P)

- 5.2 The case officer dealing with this application recognised that Core Strategy Policy CS6 seeks to ensure that the Borough makes full use of its capacity for housing, where the loss of residential floor-space would be resisted. Development Plan Policy DP2 elaborates further, whereby the Council will generally resist developments that would involve the net loss of two or more homes. The proposal in this instance, to convert the existing two self-contained flats into a single family dwelling, was therefore considered acceptable. Permission was granted on 21 June 2012.

21 Kylemore Road. Extensions and alterations in connection with conversion of existing two maisonettes into single family dwelling house; including dropping lower ground floor level to front of house, front infill extension at lower ground floor below entrance path, erection of rear single-storey lower ground floor extension and raising of part of garden level, alterations to windows and doors on rear elevation and extension of balustrading at rear ground floor level (2011/3876/P)

- 5.3 This application provided a number of alterations and extensions to the building, along with the amalgamation of the two units into a single house. The proposal was considered acceptable and granted consent on 11 October 2011.

3 Kylemore Road. Erection of a single storey rear infill extension at lower ground floor level; replacement of 2 storey rear extension with associated stairway at lower ground floor level. (2015/7093/P)

- 5.4 An application was submitted for a single storey extension (Orangery) measuring 3.2 metres wide, and projecting off the rear return by 2.0 metres with a veranda. The proposal was deemed acceptable in respect of amenity and privacy to neighbouring properties and thereby granted permission on 14 January 2016.

10 Kylemore Road. Erection of single-storey rear lower ground floor level extension and excavation to increase depth of existing basement and create enlarged front light-well, alterations to fenestration at rear lower ground floor level, erection of replacement timber fence to rear and timber cover to bin store in front garden all in connection with existing flat. (2012/1383/P)

- 5.5 This application was for the erection of a single-storey rear, lower ground floor level extension and excavation to increase the depth of the existing basement and creation of an enlarged front light-well, alterations to fenestration at rear lower ground floor level, erection of replacement timber fence to rear and timber cover to bin store in the front garden.
- 5.6 The lower ground floor rear extension infilled the alley to the side of the return, creating a structure with a total width of 5.0 metres, the width of the application site. The extension had a flat roof with a maximum height of 3.0 metres with a frameless glazed roof-light above. The extension had a depth of 3.2 metres.
- 5.7 The case officer found the rear extension would be fairly low level with a maximum height of 3.1 metres and its projection above a 2.0 metre high boundary fence would therefore not be significant.
- 5.8 The application was approved on 1 May 2012.

30 Kylemore Road. Erection of a single storey rear side infill extension. (2007/2370/P).

- 5.9 This application was for the construction of a single-storey rear extension to infill between the existing projecting wing and boundary to 28 Kylemore Road. The extension was built to a depth of 6.3 metres, a width of 1.65 metres, and a wall height of 2.3 metres. It included a glazed mono pitched roof.
- 5.10 Works also removed previous French doors on the rear façade and replaced them with a set of bi-fold aluminium doors.
- 5.11 The case officer's report found the main planning considerations to be the impact of the development on the character and appearance of the building, the area, and the impact on the amenity enjoyed by neighbouring properties. Their report stated:-

"There will be no adverse impact on the amenity of neighbours in terms of loss of light, overshadowing or privacy as a result of this proposal. While the flank wall will form the new boundary wall to the neighbouring property No. 28, the ground level is raised on this side that ensures that the extension would not appear too visually dominant or result in an undue sense of enclosure to this neighbouring property. The height of the extension is only marginally over the height of a boundary wall, which would be allowed as permitted development (0.3m above). As such, the extension would not overly impact on access to daylight or sunlight, or result in an undue level of overshadowing. The proposed works are considered to be respectful of the character and appearance of the building and unobtrusive in the streetscene and are considered to have appropriate regard for relevant policies".

- 5.12 The application is considered relevant as it is the neighbouring property to number 32. Permission was granted on 9 July 2007.

6. THE PLANNING CASE

Principle of development

- 6.1 The site is currently in residential use, a situation which this proposal does not alter. However, it will regularise the use of the building as a single unit. Although the building has been used as a single unit for some time, insufficient information can be provided to confirm this via the

General Permitted Development Order. Nonetheless, Policy H3 of the Local Plan indicates that such proposals will be acceptable provided there is no net loss of residential floor space and that it is not two or more units which are lost. This proposal amalgamates two flats into a single house, which accords with policy. Additionally, it will provide a better level of accommodation for its occupants given the previous units were unlikely to comply fully with the current Housing Space Standards, whilst the upper floor unit had no access to external amenity space. This conversion back to a single house should therefore be viewed positively.

- 6.2 Supporting the acceptability of the proposal, the planning application history on the street highlights that consent has been granted for the reversion of numbers 7 and 21 to a single house. Although these were considered under Development Plan documents, which have now been superseded, the content of the relevant policy has not materially changed, reinforcing the acceptability of the proposal. This is also augmented by 'pre-application' comments by Ms L Muthoora, indicating that amalgamation would be acceptable and in line with policy.
- 6.3 A second element of the proposal is the provision of a modestly sized single storey rear extension. Adopted planning policy supports the provision of suitable alteration and extension to properties, including lower ground floors subject to consideration of more detailed guidance. The proposal in principle should therefore be considered acceptable. The amalgamation of the two flats will result in no external changes and is therefore acceptable with regard to the impact upon the streetscape.

Design and appearance

Rear infill extension

- 6.4 The first element of the scheme is the infill extension at lower ground floor level to the rear of the property. The infill extension will extend the existing rear return (projecting 6.5 metres in length), 1.8 metres in width up to the boundary edge. No side windows are proposed, and the extension's mono pitch roof reduces its height and impact to adjoining neighbours. The resulting height to eaves is 2.7 metres, which is only marginally more than the maximum wall height allowed under Permitted Development rights. The height of 2.7 metres to eaves level is also lower than the 3.0 metres high extension consented at 10 Kylemore Road (2012/1383/P).
- 6.5 The length of the extension adjoins the existing rear return and should therefore be considered acceptable in respect of amenity to surrounding neighbours. The principle of an infill side extension up to the boundary edge, at lower ground floor level, was deemed acceptable at 10 Kylemore Road.
- 6.6 The extension will be built in brick to match the existing materials, whilst the new patio windows are designed to respect and complement existing fenestration across the rear elevation. Windows have been appropriately proportioned and are aligned so that they are subservient in character to the original building.
- 6.7 The scale of the extension is similar, or less than, other development in the area and does not have an overbearing effect on the host dwelling. The main dwelling, outrigger and proposed extension can still be identified as separate elements in the overall property. By maintaining a visual distinction between each feature, a hierarchy would be possible wherein the main dwelling is most dominant, with the outrigger appearing subservient, with the proposed extension being the most subservient to both of these. The building materials which would be

used are proposed to match the existing materials within the dwelling. The works are considered to be in accordance with Policies 7.4 and 7.6 of the London Plan, maintaining the local character.

- 6.8 The overall scale and design of the development is materially similar to the numerous extensions at other properties in the area and should be considered acceptable and in accordance with Policy A1 of the Camden Local Plan and Policy 2 of the Neighbourhood Plan.

Amenity and Ancillary Spaces

- 6.9 The London Plan sets out residential amenity space requirements. The London Housing Supplementary Planning Guidance (standard 4.10.1) states that 5 square metres of private outdoor space is required for 1-2 bedroom units and a further 1 square metre for each additional occupant. The proposal will maintain an area well in excess of this, thereby providing ample outdoor space provision.
- 6.10 The application site is also within 5 minutes walking distance of Kilburn Grange Park, providing further recreational opportunities.
- 6.11 The infill extension will adjoin the existing rear return, thereby maintaining minimum set-back distances to surrounding properties. No loss of amenity will therefore occur to these properties. Likewise, the height on the side boundary is minimal, such that no material impact upon number 34 will occur, particularly given the comparative ground levels of the rear facing windows in the main bodies of the dwellings in relation to the extension.

7. CONCLUSIONS

- 7.1 This proposal is for amalgamation of two flats into a single house, plus a rear infill extension to the lower ground floor, providing additional accommodation to suit modern living and making efficient use of land.
- 7.2 Policy H3 supports the amalgamation of residential units, provided not more than two units are lost and there is no reduction in residential floor area. This proposal complies with this policy, indicating that the principle of development is acceptable. This position is reinforced by comments received by Camden Council and previous planning consents on the street for the reversion of a building to a single property.
- 7.3 A modest single storey rear extension to the side of the existing outrigger is proposed. The scale of the extension is similar or less than other development in the area and does not have an overbearing effect on the host dwelling. The main dwelling, outrigger and proposed extension could all be viewed as separate elements in the overall property. By maintaining a visual distinction between each feature, a hierarchy would be possible, wherein the main dwelling is most dominant, with the outrigger appearing subservient, and the proposed extension being the most subservient to both of these. The building materials which would be used are proposed to match the existing materials within the dwelling. The works are considered to be in accordance with Policies 7.4 and 7.6 of the London Plan, Policy A1 of the Camden Local Plan and Policy 2 of the Neighbourhood Plan.
- 7.4 The proposal should be considered to accord with the relevant policies and guidance, and should be granted consent.