

# APCAR SMITH PLANNING

Chartered Town Planning Consultants

## PLANNING STATEMENT

**40-42 MILL LANE  
LONDON  
NW6 1NR**



Our Ref: CA/3041/SCHEME 1

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### Appendix

#### A. PTAL Report

## **1.00 INTRODUCTION**

1.01 This Statement has been prepared for submission to the London Borough of Camden in support of a planning application regarding proposed development at 40/42 Mill Lane. In summary the proposals involve the retention of the existing public house at both upper ground and lower ground levels, rear extensions at first and second floor levels, a mansard extension with the creation of a new third floor within the roof space and the use of the first, second and third floors as 7 self-contained flats. A new entrance is proposed from the Mill Lane frontage to access the upper floor flats. The proposals incorporate cycle and refuse/recycle storage in a small part of the lower ground floor.

1.02 The application is submitted following the Local Authority's approval of planning application Ref: 2016/2661/P with the main differences being a slight increase to the first and second floor rear extension (albeit not affecting the street scene), the mansard roof extension and the proposals incorporating two additional flats. The retained pub at upper and lower ground floor levels would be as previously approved.

1.03 The application also follows the Council's comments in respect of a request for Pre-Application Advice (Ref: 2017/6473/PRE) and responds to comments received.

1.04 The application is submitted on the basis of the following plans:

- Site Location Plan (Drwg No 17542/15)
- Topographical Survey (Drwg No 160175 Rev A)
- Existing Floor Plans (Drwg No 160175FP Rev A)
- Existing Elevations (Drwg No 160175ELE Rev A -Sheets 1 and 2)
- Proposed Floor Plans (Drwg No 17542/11 Rev A)
- Proposed Elevations (Drwg No 17542/12 Rev A)

1.05 In addition to this Statement the application is accompanied by the following supporting Statements:

- Design and Access Statement (Building Design Consultancy UK Limited)
- Daylight and Sunlight Assessment (T16 Design Limited)

- Affordable Housing Viability Assessment Report (Argent Blighton Associates)
- Heritage Assessment (Heritage Collective)
- Noise and Sound Insulation Report (Clement Acoustics)
- Construction Management Plan (Halstead Associates)
- Energy Assessment (Eight Associates)
- Air Quality Assessment (Eight Associates)
- Preliminary BREEAM Domestic Refurbishment Assessment (Eight Associates)
- Computer Generated Image of the Proposed Development.

1.06 For the reasons discussed in this Statement and the other supporting documents it is considered that the proposed development complies with all relevant planning policies and guidance at national, strategic and local level. With regard to the main issues to which the proposals give rise in summary the development retains the existing public house (which it is acknowledged is a nominated Asset of Community Value), provides much needed good quality sustainable additional residential accommodation; is considered to be wholly appropriate in terms of visual impact (with the extensions and alterations being in keeping with the host building, having an appropriate relationship with neighbouring buildings and generally preserving the character of the local area); and having no adverse impact on neighbouring occupiers.

## **2.00 PROPOSED DEVELOPMENT**

- 2.01 The proposals retain the upper and lower ground floors as a public house. The only change at ground floor level is the creation of a separate entrance door leading to a new staircase to provide access to the upper floors. This is to be positioned adjacent to the party wall with 38 Mill Lane and involves a reduction of 8.5sqm in useable pub floor space. The existing staircase within the centre of the ground floor (to the rear of the base area) that currently provides access to the upper floors would be removed as part of the proposals.
- 2.02 The lower ground floor will remain as ancillary pub floor space with the exception of an area of 39.9sqm towards the rear which will become the bicycle store, refuse and recycle store. Due to the change in ground levels the bicycle store is at pavement level so enabling direct access from Ravenshaw Street. This bicycle store would be solely for the use of occupiers of the proposed flats on the upper floors. The proposed refuse/recycle store will open on to the passageway that runs along the southern boundary of the site servicing all of the Mill Lane properties within the same terrace. All of the remainder of the lower ground floor will remain ancillary to the pub.
- 2.03 In terms of pub floor area the proposals retain 250sqm at upper ground floor level and 231.8sqm at lower ground floor level (these figures being gross internal areas). It is noted that the area differs slightly from the figures referred to on the planning application form and CIL form in respect of planning permission Ref: 2016/2661/P with the figures on those forms being inconsistent with each other (it is unclear how the previous Applicant's professional team calculated these figures). However it can be seen from comparing the current proposed lower ground and upper ground floor plans with the approved lower ground and upper ground floor plans that the current proposals affect exactly the same parts of both floors.
- 2.04 It is proposed to convert the first and second floors from ancillary residential accommodation (associated with the pub) to independent residential occupation in the form of self-contained flats. Again this is as has previously been approved.

- 2.05 The proposals extend the building to the rear at first and second floor levels and provide an additional floor to the building, so resulting in three floors of residential accommodation above the pub.
- 2.06 The first and second floor rear extension follows the previously approved rear building line other than a small area at first floor and second floor levels adjacent to 38 Mill Lane, where the proposed extension would be slightly deeper. However in terms of the depth of the building street and its appearance from Ravenshaw Street, together with the visual relationship with 1 Ravenshaw Street, the proposals are the same as those previously approved. The proposals also incorporate a replacement roof in the form of a mansard recessed to the rear of parapet walls.
- 2.07 To assist in a comparison of the current proposals with the extant permission the proposed floor plans and elevations incorporate, by way of a broken purple line, the outline of the extant permission.
- 2.08 As regards the detail of the design the proposed mansard roof has been designed so as to incorporate dimensions and pitch of a traditional mansard roof, with the height being only 0.5m above the existing ridge height. The building's existing parapet will be retained and replicated to improve the appearance of the building. New fenestration follows the vertical alignment of windows below and is sympathetic to traditional window hierarchy with windows reducing in height at upper floors.
- 2.09 The proposals involve a mix of studio, 1 bedroom and 2 bedroom flats – 1 x studio/1 person unit, 1 x 1 bedroom/2 person unit, 2 x 2 bedroom/3 person units and 3 x 2 bedroom/4 person units. Four of these flats would have private amenity space in the form of terraces. A small terrace is proposed at first floor level on part of an existing flat roofed area; there are also small terraces at the rear at first, second and third floor levels. All terraces will be enclosed by frameless clear glazed balustrading.

2.10 A Schedule of Flats, including their levels, gross internal floor areas and external amenity space (the latter where applicable) is detailed in the Schedule below.

LEVEL	FLAT NO	FLAT TYPE	GROSS INTERNAL AREA	EXTERNAL AMENITY SPACE
First Floor	Flat 1	2 bedroom/4 person	71.7sqm	8.9sqm
	Flat 2	Studio/1 person	38.4sqm	-
	Flat 3	2 bedroom/3 person	66sqm	9sqm
Second Floor	Flat 4	2 bedroom/4 person	72.6sqm	-
	Flat 5	2 bedroom/4 person	83.2sqm	9.1sqm
Third Floor	Flat 6	2 bedroom/3 person	61.7sqm	-
	Flat 7	1 bedroom/2 person	51sqm	8.43sqm

*NB: floor areas for Flat 6 and 7 at third floor level are calculated solely on the basis of area with a head height of greater than 1.5sqm.*

2.11 All flats, with the exception of the studio flat (Flat 2), are dual aspect. All flats comply with minimum floor area requirements with those that have external amenity space complying with minimum amenity space requirements. Cycle parking is provided in accordance with standards. No car parking is or could be provided. It is understood that, as with the extant permission, this will necessitate a “car free” Legal Agreement.

### **3.00 SITE AND SURROUNDINGS**

- 3.01 The application premises contain four floors of accommodation. The pub bar area occupies the majority of the ground floor with the remainder of the ground floor comprising WC's, ancillary space and storage. The lower ground floor contains more storage and other ancillary spaces. The first and second floors, which are accessed from within the pub (to the rear of the bar), are occupied ancillary to the pub use as landlord and staff accommodation.
- 3.02 The application site is situated on the southern side of Mill Lane immediately to the west of its junction with Ravenshaw Street. Natural ground levels drop from north to south (dropping away from the Mill Lane frontage). The site forms part of a terrace of properties fronting Mill Lane comprising No's 32 – 42 (evens). All have a commercial use at ground floor level with two floors of residential accommodation above. All have forward projections at ground floor level with that at the application premises being surrounded by raised parapets which are topped with planting boxes.
- 3.03 The existing second floor is partly within the existing roof slope whereas, for the remainder of the terrace, there are two full floors of accommodation above the ground floor fronting the street. In addition, and as discussed further in the following section, there is an extant planning permission for a mansard roof containing additional accommodation at No.36 Mill Lane, a part additional floor at 32 Mill Lane with an application submitted for a mansard roof extension at 34 Mill Lane (to match that approved at No.36).
- 3.04 As can be seen from the photograph on the front cover of this statement and the CGI of the proposed development, the front elevation of the application premises differs from that of other properties in the terrace in terms of detailing – with the application premises being of more ornate architecture – and also in terms of window heights and the height of the ground floor front extension. The existing building incorporates some classical features with the front elevation and side elevation (the return elevation to Ravenshaw Street) being more decorative than the rear and with a roof level parapet that, on its Mill Lane frontage, is either incomplete from the date of construction or, more likely, has been altered at some time in the past.



- 3.05 To the east of Ravenshaw Street is a similar terrace of commercial properties with residential accommodation above. To the west of the terrace containing the subject premises is an extremely bulky part 4/part 12 storey block of flats.
- 3.06 There is no uniformity of buildings on the opposite side of Mill Lane in the vicinity with there being a variety of 3 and 4 storey buildings of entirely different character to the terrace containing the subject premises.
- 3.07 Side roads in the vicinity, including Ravenshaw Street, are predominantly characterised by three storey properties with the top floor being within the roof space.
- 3.08 The site is not located within or in close proximity to any Conservation Area. Nor are there any listed buildings in proximity to the subject site.
- 3.09 The existing building on the site has almost 100% site coverage. There is no off-street car parking available nor is there any cycle parking associated with the existing premises. The site is within a Controlled Parking Zone. On the surrounding side streets, including Ravenshaw Street, parking is restricted to permit holders only between the hours of 10.00am and midday on Mondays to Fridays, with the exception of a loading bay immediately adjacent to the subject site on Ravenshaw Street. On Mill Lane parking is restricted to permit holders or pay by phone parking between the hours of 8.30am and 6.30pm Mondays to Fridays.
- 3.10 According to the Transport for London Planning Information Database the site has a Public Transport Accessibility Level of 4. The PTAL Report (attached at Appendix A) shows the site as being approximately 10 minutes' walk time from West Hampstead BR Station. Although not referred to on the PTAL Report West Hampstead London Overground and London Underground Stations are both located within 12 to 13 minutes walk of the site. In addition, as shown on the PTAL Report, are stops serving a number of different bus routes within 1 to 7 minutes walk of the site.

#### **4.00 PLANNING HISTORY**

- 4.01 There have been a number of relatively minor applications relating to the application premises involving alterations to the public house, replacement windows, timber decked area and external staircase (LPA Refs: 2005/3655/P, 2007/0754/P, 2007/3587/P, 2008/4942/P, 2011/6139/P and 2012/4198/P).
- 4.02 Of particular relevance to the current proposals is planning permission Ref: 2016/2661/P, granted in December 2016, for the conversion of the ancillary accommodation (essentially the upper floors above the pub) to create a total of 5 flats (3 x 1 bed and 2 x 2 bed). The approved development included a roof extension, first and second floor rear extensions, together with alterations to the existing pub at ground and lower ground floor levels.
- 4.03 As with the current proposals the extant planning permission includes the creation of a new entrance to the upper floors from the Mill Lane frontage adjacent to 38 Mill Lane, involving the same relatively minor loss of pub floor space as the current proposals. At lower ground floor level the approved scheme utilises the same area as do the current proposals for cycle storage and waste/refuse storage. Therefore the current proposals do not result in any further loss of pub floors space (whether this be that part of the pub open to the general public or ancillary space) than does the extant planning permission.
- 4.04 The approved plans incorporate a mix of accommodation as shown on the Schedule below:

<b>LEVEL</b>	<b>FLAT NO:</b>	<b>FLAT TYPE:</b>	<b>GROSS INTERNAL FLOOR AREA</b>	<b>EXTERNAL AMENITY SPACE</b>
First Floor	Flat 1	1 bedroom/ 2 person	55sqm	9.1sqm
	Flat 2	1 bedroom/2 person	50sqm	-
	Flat 3	1 bedroom/2 person	51.2sqm	9.1sqm
Second Floor	Flat 4	2 bedroom/4 person	71sqm	8.1sqm
	Flat 5	2 bedroom/4 person	73.6sqm	-

4.05 As with the current proposals the extant permission does not include any family units (ie; 3 bedrooms or more). Of the approved 5 flats two would not have any access to external amenity space; the current proposals are similar in that of the 7 proposed flats three would not have any access to external amenity space. In the approved scheme one flat had a solely north facing aspect which is normally considered acceptable. The current proposals also have one single aspect unit but that the layout is improved with this being east facing.

4.06 It is noted from the decision letter that the extant planning permission was subject to a “car free” Section 106 Agreement – effectively removing the rights of future occupants to obtain parking permits. It is assumed that such a Legal Agreement would be required with this revised application. The following factors are mentioned in “Informatives” on the decision letter as the reasons for granting planning permission. All are considered equally applicable to the current proposals:

- The existing pub is retained.
- The upper floors do not form part of the day to day running of the pub, are underutilised and the proposed residential use will meet a priority land use.
- An appropriate mix of unit sizes is incorporated.
- All units are of appropriate size and provide a satisfactory standard of accommodation.
- Proposed terraces provide an acceptable level of amenity space.
- The proposals satisfactorily extend and refurbish the existing building.
- The appearance of the building will be enhanced by improving the visual symmetry (to Mill Lane), enhancing features of the building and aligning with existing structures.
- There will be no harm caused to neighbouring properties in terms of outlook, privacy, light or noise disturbance.
- Appropriate waste and cycle storage is proposed and a car free Legal Agreement is intended.

4.07 Since this extant planning permission was granted the Local Authority have granted planning permission Ref: 2017/2062/P for the erection of an additional floor by way of a mansard roof extension above 36 Mill Lane – within the same terrace of properties. An Informative on that decision letter refers to the roof line of the terrace varying, acknowledges that the proposed extension at 36 would be higher than the adjacent properties and visible from the public realm in long views but concluded this not to be detrimental to the character and appearance of the area. This is of relevance to the current proposals for 40/42 Mill Lane.

## **5.00 RESPONSE TO PRE-APPLICATION ADVICE**

- 5.01 A request for Pre-application Advice was submitted in November 2017. The Local Authority issued their formal advice in January 2018 (Ref: 2017/6473/PRE).
- 5.02 The Pre-Application Scheme involved an almost identical arrangement at lower and upper ground levels as the formal application scheme with the exception of detailed changes to cycle storage provision and refuse layout. Importantly the floor area retained for the pub use (including its ancillary space) has not changed and indeed is the same as with the extant permission. The Pre-Application Scheme provided for a total of 8 flats at first, second and third floor levels with deeper rear extensions at first and second floor levels and hence a deeper mansard roof. The mansard roof was also higher than that now proposed.
- 5.03 The pre-application response confirmed the principle to be acceptable as there was no further loss of pub floor space than that previously approved.
- 5.04 With regard to affordable housing the Pre-Application Advice referred to a requirement for payment in lieu of on-site provision being acceptable. The matter of affordable housing is considered in the Viability Assessment which we comment on in the context of relevant policy in the following sections of this Statement.
- 5.05 The Pre-Application Advice acknowledges that the application premises differ from the rest of the parade which are fairly uniform in design/fenestration hierarchy and height and refers to the extant planning permission for a mansard extension for 36. However the Pre-Application Advice is incorrect in that it states that when the application for No.36 was considered it was concluded that this would not be prominently seen from the public realm. An Informative on the decision letter clearly states that the proposed extension at 36 would be higher than adjacent properties and would be visible from the public realm in long views, but concluded that this would not be detrimental to the character and appearance of the area.
- 5.06 The pre-application response raises concern with regard to the rear extensions. The plans showed the first floor rear extension as full depth facing Ravenshaw Street and almost full depth at second floor

level. It was considered that this together with the mansard roof form would harm the appearance of the street scene and the character of the area. In response to this the depth of the first and second floor extensions have been significantly reduced. Insofar as the Ravenshaw Street frontage is concerned the extensions are now no deeper than the extant planning permission – the outline of which is shown by way of a broken purple line on the submitted proposed floor plans and elevations. It is only adjacent to 38 Mill Lane that the rear extension is slightly greater than that previously approved. However this will not be seen from Ravenshaw Street and will not affect the character of the area.

- 5.07 As a result of the reduced depth of the first and second floor rear extensions the mansard roof is significantly reduced in terms of its size. It has also been redesigned and its height significantly reduced. As a result it is only 0.5m higher than the previously approved roof form – as can be seen when comparing the current proposals with the broken purple line on Drwg No 17542/12 Rev A.
- 5.08 It is therefore hoped that the Local Authority will agree that the significant reduction since the pre-application scheme in terms of the depth of the rear extensions and the scale of the mansard extension overcome the concerns expressed in the Pre-Application Advice. The extent of development has been significantly scaled down and the roof design re-thought as the Pre-Application Advice suggested.
- 5.09 In terms of detailed design matters the Pre-Application Advice suggested that the new fire exit, proposed on the Mill Lane frontage adjacent to the new door to provide access to the flats, be re-sited onto the side of the building. However the position proposed is as per the extant permission. Indeed it would not be possible to place the fire exit at the side of the building as the Officer suggested in the pre-application advice given the change in natural ground levels.
- 5.10 The Pre-Application Advice raised concern about the appearance of the balconies in terms of the amount of balconies resulting in a cluttered rear elevation seen from Ravenshaw Street and in terms of the use of the front flat roof harming the character and appearance of the building. In response the number of balconies has been reduced and rather than being enclosed by metal railings it is now proposed that all terraces be enclosed by frameless glass balustrading. Furthermore the extent of usable terrace on the flat roof on the front elevation has been

significantly reduced so that the frameless glass balustrading is recessed from all elevations. The first floor rear terrace is pulled away from the Ravenshaw Street elevation so as to reduce its impact. In this respect it is noted that the extant permission has a terrace in this position coming right up to the Ravenshaw Street elevation and enclosed by railings. It is considered that this amendment to the current proposals offers an improvement on the extant permission. Overall it is considered that the terraces will have less of a visual impact than those included within the extant permission as a result of that at the rear of the first floor being recessed and all being enclosed by frameless glazing.

- 5.11 Comment was made in the Pre-Application Advice with regard to the previous permission incorporating elements to enhance the external façade by reinstating parapets, banisters, window pediments and adding cornices, with windows to match the existing pattern and improving the visual symmetry of the building. As a result of these comments the design has been substantially amended so as to ensure that all elements referred to are once again included in the proposals.
- 5.12 With regard to housing mix the Pre-Application Advice recommended reducing the number of 1 bedroom dwellings. The pre-application scheme included 2 x 1 bedroom units and 1 studio unit. The current proposals have responded to the advice and incorporate only 1 studio and 1 x 1 bedroom flat.
- 5.13 With regard to the quality of the residential accommodation it was confirmed that all flats comply with the minimum floor area requirement; this continues to be the case as is discussed further in the context of planning policies. The Pre-Application Advice also confirmed that those flats which have external amenity space also comply with minimum amenity space requirements. Again this continues to be the case.
- 5.14 Comment is raised in the Pre-Application Advice regarding single aspect units. In the pre-application scheme there were four single aspect units. The amended scheme for which planning permission is now sought now only has one single aspect unit – that being the studio flat (Flat 2) which is east facing. This is considered to be an improvement on the extant permission where there was a solely north facing unit.

- 5.15 Concern was raised in respect of impact on neighbours amenities from the proposed front and rear terraces. With regard to the front terrace the concern related to overlooking of the front windows at 38 Mill Lane. In response to this the proposed front terrace is significantly reduced. Whereas with the pre-application scheme the front terrace was to cover the entire flat roof it is now to be limited to the central area, approximately 5½m from the closest window to 38 Mill Lane. Given that the terrace will only project 1.5m forward of the front elevation at first floor level there will be no potential for overlooking.
- 5.16 As regards the rear terraces the amendments in terms of the reduction of the depth of the rear extension mean that the rear terraces will have no more of an impact on 1 Ravenshaw Street than those previously approved.
- 5.17 The Pre-Application Advice suggests that a Daylight/Sunlight Report be submitted to demonstrate no harm to neighbours amenities. The Daylight and Sunlight Assessment produced by T16 Design Limited considers the windows of all surrounding properties and demonstrates that there will be no unacceptable impact on neighbours sunlight or daylight and that the development accords with the relevant BRE Guidance.
- 5.18 In response to comments made concerning potential for noise disturbance (from the existing A4 use and also potential noise transmission between units) the application is accompanied by a Noise and Sound Insulation Report as suggested. This incorporates recommendations to ensure no unacceptable noise disturbance from background noise including the pub at ground floor level. With regard to any potential noise transmission between units wherever possible like rooms are stacked above like; furthermore this is a matter covered by the Building Regulations in terms of sound insulation requirements.
- 5.19 We turn next to the comments in respect of parking and impact on the highway network. As requested a Construction Management Plan is submitted. It is acknowledged that this will need to be updated once a principal contractor has been appointed and this will be a requirement of any Section 106 Agreement. As regards car parking the Applicant is aware that there will be a “car free” obligation in any Section 106 Agreement, essentially removing the rights of future residents (other than those who are registered disabled) to obtain residents parking



permits. As regards cycle parking the proposals incorporate 13 cycle parking spaces (which complies with the minimum standards) utilising the Council approved Sheffield Cycle Racks. Waste and recycle storage is also provided in accordance with the Council's requirement. The Applicant is aware that matters in respect of financial contribution for highways works (in respect of the removal of the existing dropped kerb) will be incorporated in the Section 106 Agreement.

- 5.20 The application documentation incorporates a BREEAM Assessment, Energy Assessment and Air Quality Assessment which demonstrate that the points raised in the Pre-Application Advice under the sub-heading "Sustainability" are complied with. These will be commented upon further as part of our consideration of relevant planning policies.

## **6.00 ASSESSMENT IN THE CONTEXT OF PLANNING POLICIES**

6.01 We comment on the proposals in the context of relevant national, strategic and local planning policies. We are aware that since the extant planning permission was granted the Local Authority have adopted their Local Plan (June 2017) with this superseding the previous Core Strategy and Development Management Policies Document.

### **National Planning Policy Framework**

6.02 At the heart of the National Planning Policy Framework is the presumption in favour of sustainable development and the need to make efficient and effective use of previously developed land. The proposals comply with both of these objectives.

6.03 The proposals comply with the relevant core planning principles as set out at Para 17 by being of high quality design, providing a good standard of amenity for existing and future occupants, being in keeping with the character of the area, re-using an existing resource by converting an existing building, making effective use of the land, and being in a sustainable location.

6.04 Para 49 advises that housing applications should be considered in the context of the presumption in favour of sustainable development. The site is clearly in a sustainable location. The PTAL Report at Appendix A demonstrates the sustainability of the site in terms of its location. The BREEAM Assessment and Energy Assessment demonstrate the sustainability of the proposed development itself in terms of its construction.

6.05 As required by Para 57 the proposals are of high quality and inclusive design whilst, as required by Para 58, optimising the potential of the site and being visually attractive. The Pre-Application Advice raised concerns in respect of the appearance. It is considered that the amendments incorporated in the formal application result in a development that should now be considered wholly appropriate.

### **The London Plan**

6.06 Policy 3.3 – As required the proposals assist in increasing housing supply. The policy cross-refers to Borough housing targets as set out in Table 3.1. Part D refers to Boroughs not just achieving but exceeding

their relevant minimum housing targets. Therefore even if the London Borough of Camden have sufficient housing land identified to meet targets additional housing should be encouraged as a matter of principle.

- 6.07 Policy 3.4 – The proposals appropriately optimise the housing potential on the site as required. The policy refers to a density matrix at Table 3.2. With the site having an area of 321.6sqm, being in an area with a PTAL Rating of 4 and being within what is defined as a “urban” area, Table 3.2 requires density to be in the region of 200 to 700 habitable rooms per hectare. The proposals incorporate a total of 18 habitable rooms, so giving rise to a density of 560 habitable rooms per hectare - clearly within the specified range.
- 6.08 Policy 3.5 – Quality and design of the proposed development accords with the policy. All units will meet or exceed minimum space standards set out in Table 3.3. The studio flat has an area of 38.4sqm – so exceeding the minimum requirement of 37sqm (where there is a shower room and not a bathroom). The 1 bedroom/2 person flat has a floor area of 51sqm so exceeding the minimum requirement of 50sqm. The smallest 2 bedroom/3 person flat has a floor area of 61.7sqm so exceeding the minimum requirement of 61sqm. The smallest 2 bedroom/4 person flat will be 71.7sqm so exceeding the minimum requirement of 70sqm. All incorporate appropriate internal storage (as detailed in the table within Section 5 of the Design and Access Statement). All units will have adequately sized rooms with convenient and efficient layouts. With the exception of Flats 2, 4 and 6 all will have external amenity space exceeding The London Plan Housing SPG requirement of 5sqm for 1 bedroom/2 person flat plus an additional 1sqm for each additional person.
- 6.09 Policy 3.8 – This relates to housing choice and includes reference to new developments including a mix of housing size and types. The policy does not refer to any specific mix requirements. The proposals are considered to incorporate an appropriate mix. It is considered that the mix is an improvement on that incorporated within the extant permission which included only two different unit types and with the majority being 1 bedroom units.
- 6.10 Policy 3.12 – This policy refers to negotiating the maximum reasonable amount of affordable housing having regard to various factors including

the need to encourage, rather than restrain, residential development (Policy 3.3) and the specific circumstances of individual sites. Reference is made to negotiations on sites taking account of their individual circumstances including development viability. In this respect the application is accompanied by a detailed Viability Assessment, undertaken on the basis of the GLA Development Control Toolkit to which the supporting text at 3.71 refers. The thorough Assessment demonstrates that having regard to a careful consideration of costs and values the scheme cannot support any contribution towards affordable housing.

- 6.11 Policy 3.13 – The proposed development is below the threshold of 10 dwellings – referred to at Part A of the policy as being the threshold where Boroughs should normally require affordable housing provision on-site. It is acknowledged that Part B of the policy encourages lower thresholds. As referred to below we are aware that the Local Authority now employ a lower threshold. It has been confirmed in the Pre-Application Advice that a financial contribution in lieu of on-site provision would be acceptable given the scale of the development. However as referred to above, in the context of Policy 3.12, the Viability Assessment demonstrates that the proposals cannot support the provision of a financial contribution towards affordable housing.
- 6.12 Policy 4.8 – Amongst other things this policy seeks to prevent the loss of pubs. The proposals retain the existing pub use, resulting in only a minor reduction in floor area. This involves only a minor loss of space for the new staircase on the Mill Lane frontage at upper ground floor level and for the cycle/refuse/recycle storage at the rear of the lower ground floor, being no different in either respect to the extant permission.
- 6.13 Policy 5.2 – As the proposals do not relate to a “major” development the reference in Part B of the policy to carbon dioxide emission targets is not of relevance. The submitted Energy Assessment (undertaken on the basis of the details referred to in Part D of the policy) demonstrates that, in accordance with Part A of the policy, the proposals make the fullest possible contribution towards minimising carbon dioxide emissions with the Assessment showing 39.6% emission savings over the Building Regulations 2013.
- 6.14 Policy 5.3 – The Energy Assessment also demonstrates that the adoption of sustainable design principles in terms of minimising carbon

dioxide emissions, avoiding internal over-heating and making efficient use of natural resources. There are no specific minimum standards in this respect given that the proposals are not for a “major” development.

- 6.15 Policy 5.6 – This policy relates to the use of decentralised energy networks. This has been considered in the Energy Assessment which demonstrates that there are no decentralised networks, either existing or planned, that the development could connect to.
- 6.16 Policy 5.7 – Despite the proposals not being for a major development the Energy Assessment considers the potential for renewable sources of energy. Biomass/biofuel would not be suitable given site constraints; solar thermal energy would not achieve adequate reductions in CO2 emissions; wind energy would be inappropriate for a small urban site; a ground source heat pump would not be viable and the constrained site is likely to prohibit installation; and an air source heat pump system would have viability issues. The Assessment demonstrates the use of photo-voltaic panels as the most appropriate with the potential for their installation on the flat roof space with the plan on Page 24 of the document demonstrating there to be sufficient space for the 16 necessary south facing PV panels.
- 6.17 Policy 5.13 – The proposals do not affect the footprint of the building and therefore the incorporation of a sustainable urban drainage system is not appropriate or possible.
- 6.18 Policy 6.9 – As required by Table 6.3, to which this policy cross-refers, adequate cycle storage is proposed. A total of 13 cycle spaces are provided, exceeding the minimum of 12 that would be required (the standards requiring a minimum of 1 space for 1 bedroom units and 2 spaces for 2 bedroom units).
- 6.19 Policy 6.13 – This cross-refers to the maximum car parking standards set out in Table 6.2. That table requires less than 1 space per unit, having regard to unit sizes as well as PTAL rating. Part Eb of the policy refers to car free developments being promoted in locations with high public transport accessibility. Such a car free development has previously been acknowledged by the Local Authority as being acceptable in their determination of the extant permission for the site.

- 6.20 Policy 7.4 – The proposed extensions to the building (at the rear of the first and second floors and the additional floor within the roof space) are of high quality design in keeping with scale, proportion and mass of the surroundings. Whilst having an additional floor when compared with the extant permission, given the additional floor subsequently approved at 36 Mill Lane (as referred to at Para 4.07) and given the similar application that has been submitted for 34 Mill Lane, we consider the proposed additional floor at 40/42, which will be within a well designed and traditional mansard roof, to be appropriate and retain the character of the area. The elevational alterations ensure that street level activity is retained – not affecting the entrance to the pub whilst introducing a new entrance on the Mill Lane frontage to the residential accommodation on the upper floors (as with the extant permission and as exists at the other units in the parade). The proposed extensions have been significantly reduced following the pre-application feedback so as to ensure that the Ravenshaw Street frontage is not affected and with the design of the mansard roof extension being amended. The application is accompanied by a Heritage Statement although the site is not within a Conservation Area and does not affect any designated or undesignated heritage asset. Given the concerns raised in the Pre-Application Advice it was, however, considered beneficial to seek the specialist advice of a Heritage Consultant. Their statement comments on the proposals as improving the appearance of the building and not harming the street scene.
- 6.21 Policy 7.6 – As the Heritage Statement confirms the proposed development will be of high architectural quality and will incorporate details and materials in keeping with the local character. The Lighting Report demonstrates that there will be no overshadowing of any of the surrounding residential properties. Careful attention has been made to neighbours privacy so as to ensure that no aspect of the proposals has any more of an impact than the extant permission. To this end the proposals incorporate a recessed angled window to the main bedroom of flat 3 at first floor level. This will ensure no overlooking. The Daylight and Sunlight Assessment demonstrates that its proposed window arrangement does not result in unsatisfactory daylight for future occupants. It is clear that the proposals optimise the potential of the site as the policy requires given that the pre-application advice made clear that larger extensions would be unacceptable.

## **LB Camden – Local Plan**

- 6.22 We comment below on the specific policies referred to in the Pre-Application Advice as well as others we consider to be of relevance.
- 6.23 Policy G1 – This policy relates to the delivery and location of growth to meet Camden’s needs. It is considered that the proposals comply with the relevant aspects of this policy by being of high quality and making the most efficient use of the site taking into account the quality of design, surroundings, sustainability, amenity and all other relevant considerations. The development retains a mixed use of the site including self-contained housing as required by Part (c). As required the development helps towards meeting Camden’s housing needs.
- 6.24 Policy H1 – As discussed above in connection with London Plan Policy 3.3 the proposals also help comply with this policy in assisting the Council exceed their target provision of additional self-contained homes as the priority land use of the Local Plan.
- 6.25 Policy H4 – It is noted that the policy expects a contribution towards affordable housing from all developments that provide one or more additional homes; therefore this is applicable to the proposals. The policy also refers to the Council negotiating the maximum reasonable amount of affordable housing on the basis of a number of factors, including the financial viability of the development. The Pre-Application Advice has confirmed that for this development the Local Authority would be seeking a financial contribution in lieu of on-site provision of affordable housing. However, regardless of whether affordable housing would be on-site or provided by means of a financial contribution, the submitted Viability Assessment clearly demonstrates that the scheme cannot support the provision of any contribution towards affordable housing. The Assessment has been undertaken on an appropriately detailed basis incorporating two independent Valuation Reports, is based on an up to date analysis of property prices (demonstrating a fall over the last 12 months), has utilised a bespoke cost plan and indeed incorporated several areas of concession in the interest of seeking to improve the viability. It allows for only a modest level of developer’s profit at 18% which is below the market benchmark. The Viability Assessment is therefore considered to be a robust assessment of the development demonstrating quite conclusively that the scheme cannot support any contribution towards affordable housing.

- 6.26 Policy H6 – With regard to housing choice and mix it is noted that the policy requirements in respect of accessibility relate to new build homes; not to conversions. No lift is proposed and therefore it is not considered that there should be any requirement for any of the units to be wheelchair accessible. The Pre-Application Advice acknowledges that the provision of a lift is not likely to be feasible. The Design and Access Statement incorporates comments on the internal arrangements ensuring that Building Regulations Approved Document Part M is complied with in terms of ambulant disabled in both the common areas and internal flat layouts. It is noted that Part (h) of the policy refers to seeking provision suitable for families with children. However given the nature of the proposals – above a pub and with no gardens or large terrace areas - it is considered that the development is not suitable for family accommodation. Furthermore no family accommodation is included within the extant permission.
- 6.27 Policy H7 – As required by the policy the proposals incorporate a range of different unit sizes from a single person/studio flat to 2 bedroom/4 person flats. With 5 of the 7 flats being of 2 bedrooms it is considered that the mix complies with the dwelling priorities as set out in Table 1 to which the policy refers. In this respect it should be borne in mind that the extant planning permission only incorporated 2 x 2 bedroom flats whereas the current proposals incorporate 5. Whilst it is acknowledged that the extant permission was approved prior to the adoption of the current Local Plan it remains a relevant material consideration given that it can still be implemented. All conditions precedent has been discharged and it is intended that works will commence on-site very shortly. When considering the current application the Local Authority must therefore treat the extant permission as the fall-back scenario.
- 6.28 Policy C4 – As required by the policy the proposals retain the existing pub use with only a very minor loss of floor space. That loss of floor space is no greater than with the extant permission. It will not adversely affect the operation of the pub and therefore does not conflict with the policy. It is acknowledged that the pub is a designated Asset of Community Value. However this does not affect matters given that the current proposals involve no greater a loss of pub floor area than the extant permission which is a fundamentally relevant material consideration.



- 6.29 Policy C5 – This policy relates to safety and security. The Design and Access Statement details how the proposed development designs out crime in a manner compliant with Building Regulations Approved Document Q in terms of the communal entrance to the flats, flat doors, the bicycle store door and access to the refuse/recycle storage areas. Should any additional/amended requirements arise as a result of consultation the Applicant would be willing to incorporate reasonable requirements in the proposals.
- 6.30 Policy C6 – The proposals comply with all relevant aspects of this policy. By way of the development being “car free” it encourages the use of public transport. The proposed development is as “accessible” as can be achieved given that the development involves the conversion and extension of an existing building. The development does not affect access to the existing pub.
- 6.31 Policy A1 – As required by the policy the proposals will protect the amenities of neighbouring occupiers. Matters in respect of outlook, privacy, sunlight, daylight have been referred to above in the context of London Plan Policy 7.6. The submitted Daylight and Sunlight Assessment quite clearly demonstrates that the proposals will not give rise to any unacceptable impact on neighbours sunlight or daylight. The Assessment has been undertaken on the basis of the Building Research Establishment Guidance to which Local Plan Para 6.5 refers. With regard to impact on neighbours privacy the proposals ensure that this will be no different to that arising from the extant planning permission.
- 6.32 Policy A4 – From the Pre-Application advice received it is clear that the application needs to consider the potential of noise disturbance to future residents and the use of the outside spaces and how they may affect neighbours. The submitted Noise and Sound Insulation Report demonstrates that future residents will not suffer noise disturbance from the continued use of the pub. The reduced depth rear extensions and position of the terraces ensures that any potential noise disturbance from the use of these external spaces will be no greater than may have been the case with the extant permission.
- 6.33 Policy D1 – As discussed above in the context of London Plan Policy 7.4 it is considered that the design is appropriate respecting the local context and character, comprising appropriate details and materials and providing a high standard of housing accommodation. Matters in

respect of design are commented on in detail in the Heritage Statement which has had careful regard to this policy. That Statement concludes that the proposed development would preserve, if not enhance the area, and would provide wholly appropriate subservient extensions to the building, in keeping with its age, design and materials. Given the nature of the proposals, involving the conversion and extension of an existing building, the other aspects of the policy are not considered relevant.

- 6.34 Policy CC1 – The submitted Energy Assessment demonstrates how the proposed development will minimise the effects of climate change and how the development will meet the highest feasible financially viable standards, reducing carbon dioxide emissions in a wholly appropriate manner. In considering the proposals and the Energy Assessment in the context of this policy it should be borne in mind that this is not a major development for which The London Plan has any specific targets.
- 6.35 Policy CC2 – The Energy Assessment together with the BREEAM Domestic Refurbishment Assessment demonstrate that the relevant aspects of this policy are complied with. As the BREEAM Assessment shows the proposals succeed in achieving an “excellent” BREEAM rating, appropriately incorporating measures to achieve the Council’s targets.
- 6.36 Policy CC3 – This policy relates to water and flooding. The proposed development does not impact on flood risk as there is no additional excavation. The existing lower ground floor level remains unchanged other than part of it being converted to cycle and refuse/recycle storage. Given the nature of the proposals there is no potential to utilise sustainable urban drainage systems. With regard to that part of the policy that refers to development incorporating water efficiency measures, as referred to in the BREEAM Assessment appropriate water efficiency measures are to be incorporated in the development.
- 6.37 Policy CC4 – An Air Quality Assessment is submitted with this application given that the site is within an area having an NO<sub>2</sub> level above 40ug/m<sup>3</sup>. The Assessment concludes that the proposed development will result in improved energy efficiency and thus reduced building emissions. Given this and the absence of any car parking spaces the Assessment refers to there being no mitigation measures required. Comments are raised in respect of the construction phase

which will be incorporated into the Construction Management Plan when finalised (as will be a requirement of the Section 106 Agreement). As regards future residents reference is made to the fact that as these will be at first floor level and above emissions from traffic will be sufficiently defused so as not to negatively impact on air quality for residents.

- 6.38 Policy CC5 – The proposals incorporate appropriate storage for waste and recycling as required by the policy in an area easily accessible for collection. The storage is in the same part of the lower ground floor as with the extant permission, appropriately opening on to the rear access way.
- 6.39 Policy T1 – The proposals comply with the relevant aspects of the policy by providing appropriate secure cycle parking facilities that exceed the minimum standards outlined within The London Plan.
- 6.40 Policy T2 – The policy refers to the Council not issuing on-street parking permits and using Legal Agreements to ensure that future occupants are aware that they are not entitled to such permits. The Applicant is aware that the extant planning permission was subject to a “car free” Agreement and is aware that any further planning permission would be similarly constrained.

### **Camden Planning Guidance**

- 6.41 We comment below on the various Camden Planning Guidance Documents to which the Pre-Application Advice refers.

#### **CPG1 – DESIGN**

- 6.42 The relevant aspects of this document insofar as design and appearance are concerned have been considered in the Heritage Statement. It is clear from that the proposals are considered to comply with all relevant aspects. That statement refers to the proposed mansard roof being designed in line with the dimensions and pitch of a traditional mansard roof. It refers to the increase in height being only 0.5m above the existing ridge height. Para 30 of the Heritage Statement also comments on the detailing of the proposals improving the appearance of the building. Reference is made at Para 31 to other mansard roofs within the street scene with many other properties in the area having altered roof forms.

6.43 The Heritage Statement also comments on the proposed works improving the appearance of the rear elevation. As regards the Ravenshaw Street elevation that will be identical to that shown within the extant permission maintaining a stepped approach to ensure an appropriate relationship with 1 Ravenshaw Street. Whereas the extant permission has metal railings for the terraces with the current proposal frameless glass balustrading is proposed to reduce the visual impact.

6.44 It is considered that the proposals comply with the relevant aspects of CPG1 in that:

- The proposals incorporate high quality design (Para 2.1).
- The development enhances the appearance of the existing building as the Heritage Statement confirms (Para 2.9).
- There will be no unacceptable overshadowing or overlooking with the building providing visual interest and maintaining active street frontages (Para 2.10).
- The mixed use of the building is appropriate with the pub being retained (Para 2.11).
- Matching materials will be utilised (Para 2.12).
- Windows will be in keeping with the existing windows in terms of detailing and materials, retaining the hierarchy of windows in the building (Para 4.7).
- The extensions are subordinate to the original building (Para 4.8).
- The rear extension respects the original design and proportions of the building, respects the historic pattern and established townscape and causes no harm to neighbours amenities (Para 4.10).
- The proposed mansard extension is architecturally sympathetic to the age and character of the building with there being a variety of additions or alterations to roofs within the vicinity. Given this Para 5.7 advises that additional storeys and roof alterations are likely to be acceptable.
- The dormer windows are aligned with the windows below and are of a size subordinate to windows below (Para 5.11).

- The flat topped mansard roof form proposed with raised parapet wall around is identified at Para 5.15 to be an appropriate form of roof extension.
- The proposed terraces have minimal impact on the elevations as a result of the use of frameless glazing and have been designed to ensure no unacceptable overlooking of neighbouring properties or their gardens.
- Refuse/recycle storage complies with guidance at Para's 10.9/10.14 with the refuse/recycle stores being appropriately located and enclosed to comply with the guidance at 10.19 to 10.27.

#### CPG2 - HOUSING

- 6.45 On the basis of this CPG there is no requirement for any contribution towards affordable housing as the development is for less than 10 units and less than 10,000sqm additional floor area. However we are aware that the Local Plan 2017 supersedes this. With regard to affordable housing we would cross-refer to our comments in respect of Local Plan Policy H4 and the submitted Viability Assessment. We would point out that the Viability Assessment has been undertaken on the basis to which the CPG refers.
- 6.46 The development complies with the relevant residential development standards set out in Section 4 in that:
- The proposed flats are accessible for ambulant disabled. The Local Authority have acknowledged through the Pre-Application Advice that they need not be wheelchair accessible as the development involves the conversion of an existing building with the installation of a lift not being feasible (Para 4.2).
  - All minimum space standard are exceeded (Para 4.3).
  - All dwellings are self-contained with their own secure private entrance from a common entrance hall (Para 4.6).
  - The incorporation of open plan kitchen/living rooms is in response to known preferences of those seeking this type of accommodation. All rooms, including combined kitchen/living areas, are of suitable size (Para 4.7).
  - All rooms have a head height exceeding 2.3m with head height below 1.5m in the third floor not being included in the floor area calculations (Para's 4.10/4.11).

- Internal floor areas exceed those referred to at Para 4.14.
- All double bedrooms exceed 11sqm and single bedrooms exceed 6.5sqm (Para 4.16).
- Appropriate storage and utility spaces are provided in accordance with Para 4.19.
- The Daylight and Sunlight Assessment demonstrates that the proposals are acceptable in terms of impact on neighbours sunlight and daylight (Para 4.20).
- All rooms have access to natural daylight and will receive internal daylight in accordance with BRE Guidance (Para 4.21).
- Whilst it has not been possible to arrange the internal layout so as to ensure that each dwelling has at least one habitable room within a window facing within 30 degrees of due south (Para 4.23) this is also the case with the extant planning permission. Indeed the proposals are considered preferable to the extant planning permission which has one flat that has a solely north facing aspect.
- Window areas and openable window areas comply with minimum requirements of Para 4.23.
- The proposals will not unacceptably impact on neighbours privacy (Para 4.25).
- Internal layout has been designed to minimise the problems of noise disturbance between flats. Acoustic insulation will be incorporated in accordance with Building Regulation requirements (Para 4.28).
- Whilst not all flats have external amenity space (Para 4.29) this is also the case with the extant planning permission. Those flats that do have private terraces have them of an appropriate size – minimum depth of 1.5m – with level access and without giving rise to any detrimental impact on neighbours privacy.

#### INTERIM HOUSING CPG

- 6.47 This interim CPG has an updated section on affordable housing in recognition of Local Plan Policy H4 requiring a contribution towards affordable housing from all sizes of development. However as previously discussed the submitted Viability Assessment, which has been undertaken in a wholly appropriate manner in accordance with

GLA and Camden guidance, very clearly demonstrates that the proposed development cannot support the provision of a financial contribution towards affordable housing.

6.48 With regard to the general residential development standards the following is applicable;

- The development will comply with Building Regulations Part M with appropriate access and layout to meet the needs of ambulant disabled.
- Relevant space standards as set out in the Nationally Described Space Standard and London Plan/London Housing SPG are complied with.
- With regard to aspect, orientation, daylight and sunlight, privacy, ceiling heights, storage and neighbours amenities the same comments apply as referred to above in connection with CPG2.
- All new dwellings will comply with Camden's "car free" policy with the appropriate number of secure covered cycle spaces being provided.

#### CPG3 - SUSTAINABILITY

6.49 The submitted Energy Assessment and BREEAM Assessment demonstrate that the proposed development complies with all relevant aspects of this guidance.

6.50 The Energy Assessment has considered the proposals in accordance with the three steps of the energy hierarchy ("Be Lean, Be Clean, Be Green" (Para 2.3)) which the Local Authority require given that more than 5 dwellings are proposed (Para 2.5). The Energy Assessment includes all information required by Para's 2.6 to 2.10. It considers the various energy efficient design techniques, natural systems, thermal performance and mechanical systems to which Section 3 refers. It also considers the centralised energy networks as required by Section 5 but demonstrates none to be available.

6.51 With regard to renewable energy the Assessment recommends the use of PV panels. It demonstrates that the proposed development will reduce carbon emissions by 29.5% from the fabric energy efficiency measures and will reduce total carbon emissions by 39.6% over

Building Regulations with the inclusion of low and zero carbon technologies. This exceeds the 20% reduction to which Section 6 of CPG3 refers.

- 6.52 With regard to water efficiency (Section 7) the BREEAM Domestic Refurbishment Assessment demonstrates the proposals to be acceptable in terms of internal portable water and external water use.
- 6.53 In accordance with Section 8 the development is sustainable in terms of use of materials by retaining the majority of the existing building. Wherever possible acceptable existing bricks from the demolition of the rear elevation will be re-used or matching re-claimed bricks utilised. The BREEAM Assessment demonstrates the proposals to have an “excellent” rating in accordance with Para 9.14. A draft Construction Management Plan is provided with the application as required.

#### CPG6 - AMENITY

- 6.54 Various supporting documents are submitted which assist in demonstrating that the proposals comply with all relevant aspects of this guidance.
- 6.55 The Air Quality Assessment considers existing levels of pollution in the vicinity of the site and confirms that, as there is no residential accommodation below first floor level, air quality will not negatively impact on future residents. It also demonstrates that the proposed development will not harm air quality in the area. The Assessment complies with the relevant guidance in Section 2.
- 6.56 With regard to noise the Noise Exposure Assessment considers existing background noise levels, including noise emanating from the pub at ground floor level, and concludes that appropriate mitigation measures (as incorporated in the proposal) will be sufficient to ensure internal noise levels for the proposed residential development accords with relevant standards. That Assessment and its recommendations comply with the relevant guidance in Section 4.
- 6.57 The submitted Daylight and Sunlight Assessment demonstrates, in the manner required by Section 6 of the Guidance (having regard to the BRE Report “Site Layout Planning for Daylight and Sunlight: A Guide to



Good Practice”) that the proposals will not adversely impact on neighbours sunlight or daylight. The Assessment also demonstrates that daylight within the proposed development will comply with BRE Guidance.

- 6.58 The proposed development ensures that there will be no unacceptable impact on neighbours in terms of overlooking/loss of privacy, nor harming neighbours outlook, as required by Section 7 of the Guidance. All terraces are designed so as to ensure no overlooking. Those at the rear at first floor and second floor level are as have been previously approved and indeed with that at first floor level being smaller than previously approved. The new terrace at third floor level will give rise to no increased potential for overlooking. The proposed front terrace has been reduced in size to ensure no overlooking of front windows of 38 Mill Lane to respond to the pre-application concern in this respect. With regard to windows and neighbours privacy the design of the window to the main bedroom of Flat 3 at first floor level ensures that impact on neighbours privacy will not differ from that previously found to be acceptable when the extant permission was approved. With regard to neighbours outlook the proposals will not be over-bearing or having any dominating affect when viewed by neighbouring residential occupiers. The slight increase to the depth at first and second floor levels adjacent to 38 Mill Lane (when compared with the extant permission) will not harm amenities of occupiers of 1 Ravenshaw Street or 38 Mill Lane in terms of either outlook or light. The proposed mansard roof extension will not have any dominant impact on neighbours.
- 6.59 The submitted Construction Management Plan complies with the guidance set out in Section 8 as far as is possible at this stage, and pending the appointment of a principal contractor. It is understood that the Section 106 Agreement will require a more detailed Construction Management Plan to be submitted once the principal contractor is appointed, prior to commencement of development.
- 6.60 In terms of accessibility the proposals comply with the guidance in Section 9 as far as is possible given the constraints of the existing building. All flats will be accessible to ambulant disabled. Given that there is no lift and the Pre-Application Advice acknowledges that the incorporation of a lift would not be feasible, the flats are not wheelchair accessible. With the abolition of Lifetime Homes Standards

and matters in this respect now being covered by Building Regulations, all aspects of Section 9 of the guidance are complied with.

#### CPG7 - TRANSPORT

- 6.61 Given the nature of the proposed development, the intention that it will be “car free” and that the proposals do not affect the existing pub use, those aspects of the guidance relating to transport capacity, travel plans, delivery and servicing management plans, on-site car parking, vehicle access, streets and public places or mini cab offices are not relevant. It is only the guidance in Section 5 regarding car free and car capped development, and the guidance in Section 9 regarding cycling facilities, that are of relevance.
- 6.62 Section 5 refers to car free and car capped development being successful in Camden because most of the Borough has very good access to public transport services and levels of car ownership, when compared with London generally, are low. The application site certainly has good access to public transport as the PTAL Report at Appendix A demonstrates. The extant planning permission is subject to a “car free” Legal Agreement and the Applicant is aware of the need to enter into such an Agreement for this development to.
- 6.63 With regard to cycling facilities the proposals provide for 13 spaces – in excess of the 12 that The London Plan minimum standards would require. The cycle parking area is secure and accessible for all utilising Council approved stands in an enclosed part of the lower ground floor with level access from Ravenshaw Street. This is the same as the extant planning permission. Whilst the cycle parking is just in excess of the 25m from the building entrance that the guidance requires, it would not be possible to locate the cycle parking within 25m given the constraints of the site and changes in ground level. No doubt this is why the position of the cycle storage was found to be acceptable when the extant permission was approved. It is therefore considered that the cycle parking complies with all relevant aspects of the guidance.

#### CPG8 – PLANNING OBLIGATIONS

- 6.64 The Applicant is aware of the need to enter into a Legal Agreement (to provide a planning obligation) to remove the rights of future residents to obtain car parking permits. In addition it is understood that a final Construction Management Plan will need to be submitted once a principal contractor has been appointed with this also being

incorporated as an obligation within the Section 106 Agreement. The Pre-Application Advice has also drawn attention to the need for a planning obligation to cover the costs of highways works to reinstate the dropped kerb/cross-over outside the site.

- 6.65 Given that the Viability Assessment demonstrates that the proposals cannot support the provision of a financial contribution towards affordable housing the Local Authority are advised that the Applicant is not willing to provide any Planning Obligation in respect of affordable housing - either on-site or a financial contribution in lieu of on-site provision.
- 6.66 In view of the above it is considered that all relevant aspects of CPG8 will be provided for by way of planning obligations.

#### **Fortune Green And West Hampstead Neighbourhood Plan**

- 6.67 We consider below the policies of this Neighbourhood Plan to which the Pre-Application advice refers.
- 6.68 Policy 1 relates to residential development in the Plan area referring to the provision of a range of housing types to meet a range of needs. Whilst reference is made to the provision of affordable, social, intermediate and shared ownership housing – in line with 50% target as set out in the Development Plan - as the submitted Viability Assessment demonstrates the proposed development is unable to provide for any provision towards such housing.
- 6.69 It is noted that the policy refers to the provision of a range of different unit sizes, including 3 and 4 bedroom homes, where appropriate. The proposals incorporate a mix of unit sizes providing accommodation suitable for 1, 2, 3 and 4 person households. It is not considered that accommodation above a pub is suitable for family housing (3 or 4 bedroom units). Furthermore the extant planning permission does not include any 3 or 4 bedroom units.
- 6.70 As regards the reference in the policy to homes meeting or exceeding national environmental standards and carbon zero homes, as the submitted Energy Assessment and BREEAM Assessment demonstrate, the proposals comply with relevant requirements for a non-major development involving a refurbishment of an existing building.

- 6.71 Policy 2 relates generally to design and character. It is considered that the proposals comply with the relevant aspects of this policy, as is discussed in detail in the submitted Heritage Statement. The development makes a positive contribution to the character of the existing building and the area by replicating the existing parapet to create a symmetrical façade, maintaining a stepped height on Ravenshaw Street, with a traditional and sympathetic mansard roof. Materials will match those existing. The extensions - rear and mansard – will be in character and proportion with the original building and maintain an appropriate relationship with neighbouring properties.
- 6.72 Policy 7 relates to matters concerning sustainable transport. As required by the policy the proposed development would be “car free”. As existing occupants of the ancillary residential accommodation would be eligible for parking permits the fact that future residents will not be eligible means that the proposals will result in a reduction in air pollution caused by vehicle emissions as the policy requires. With regard to the provision of loading bays for commercial use the existing pub is serviced by the loading bay on the Ravenshaw Street frontage adjacent to the site. This is not affected by the proposals. As regards those aspects of the policy referring to car club spaces and charging points/dedicated parking spaces for electric cars, given the nature and scale of the proposals these elements of the policy are not considered relevant.
- 6.73 Employment within the existing pub will not be affected by the proposals and thus Policy 12, relating to employment premises, is complied with. No other aspects of the policy are of relevance.
- 6.74 Lastly Policy 14 is of relevance, this relating specifically to Mill Lane Neighbourhood Centre. As the existing pub is retained, with the proposals only resulting in a small loss of floor area at upper ground and lower ground floor levels to the same extent as previously approved, the proposals have no effect on the function of this neighbourhood centre. As required by the policy the proposals are also considered to preserve the character of the neighbourhood centre. The proposed access door on the Mill Lane frontage for the flats will result in a change to the existing shop front but an open frontage will still be retained for the remainder of the Mill Lane frontage. In this

respect the proposals are identical to the extant planning permission. Given the nature of the proposals it is not considered that there is any need for a contribution to public realm improvements and indeed there was no such requirement with the extant permission nor has the Pre-Application Advice referred to a need for this.

## **7.00 SUMMARY AND CONCLUSIONS**

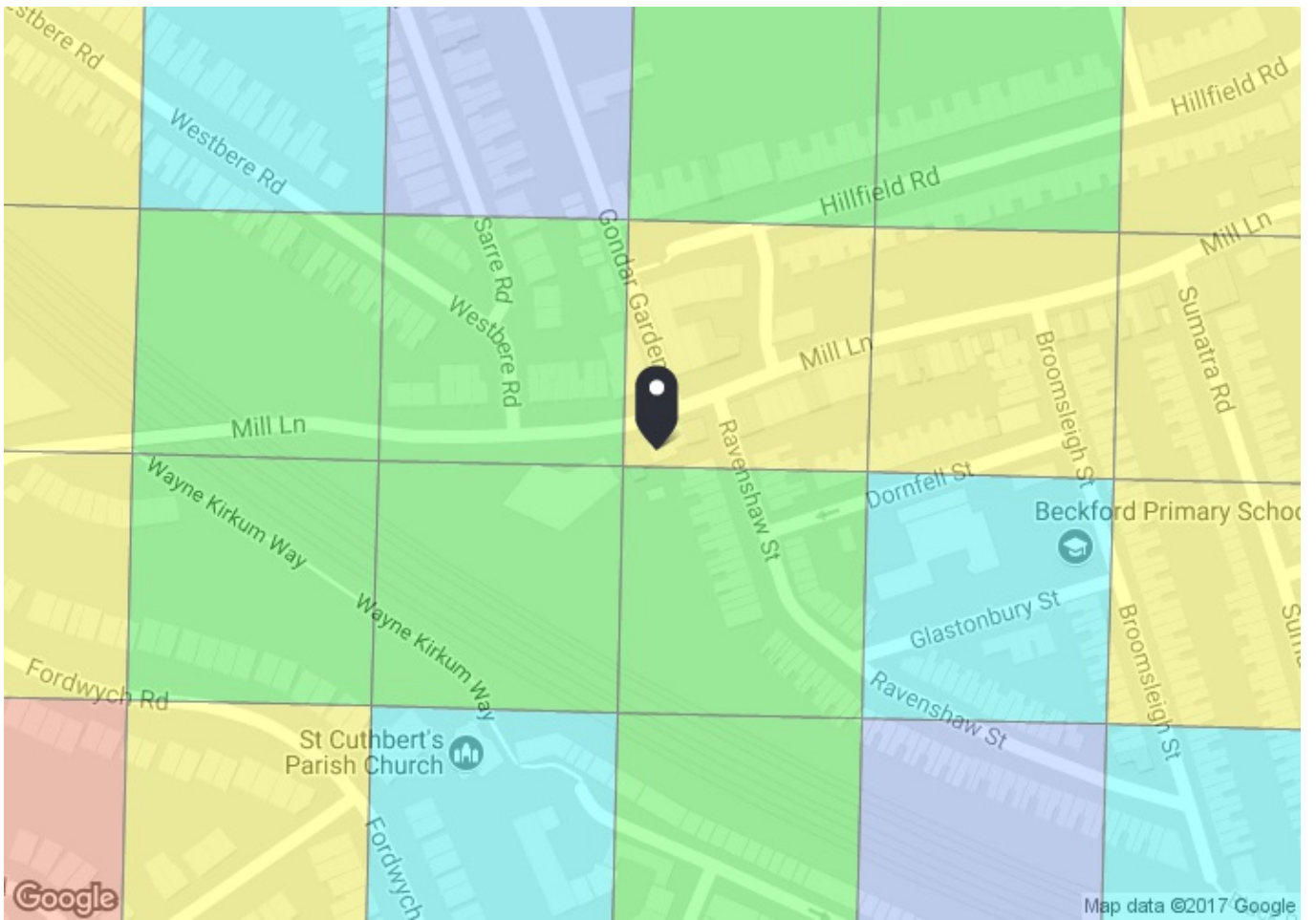
- 7.01 The application follows the grant of planning permission Ref: 2016/2661/P and is for a similar form of development albeit with a slightly deeper first and second floor rear extension adjacent to 38 Mill Lane (albeit not affecting the Ravenshaw Street frontage when compared with the extant permission) and the construction of a traditionally designed mansard roof extension which would increase the height of the roof by only 0.5m. The number of flats increases from 5 to 7. The proposals do not affect the continuation of the existing pub use at ground and lower ground floor levels involving only a small reduction in pub floor space at both levels to exactly the same extent as that incorporated in the 2016 permission.
- 7.02 Pre-Application Advice has been sought prior to the submission of this application with the proposals being significantly amended to respond to Officer's concerns in terms of the depth of the rear extensions and the scale and bulk of the mansard extension.
- 7.03 It is considered that the proposals are wholly in keeping with the detailing and character of the existing building and the prevailing character of the area. The proposed development provides an opportunity to enhance the existing roof-scape by providing a more symmetrical appearance to the building from Mill Lane and rationalising the rear elevation. As is stated in the Heritage Assessment it is considered that the proposals would preserve, if not enhance, views and provide an extension to the existing building that is clearly subservient and in keeping with its age, design and materials.
- 7.04 The proposals provide 7 good quality additional residential units that help meet the Borough's housing needs. An appropriate mix of unit sizes is provided. There is no family housing (3 plus bedrooms) proposed but, given that the residential accommodation is above a pub with only very limited potential for external amenity space, it is not considered that the site is suitable for family housing. Indeed this is no different to the extant planning permission which does not incorporate any family housing.
- 7.05 The proposals do not incorporate any affordable housing – either on-site or by way of a financial contribution in lieu of on-site provision. The Viability Assessment clearly demonstrates that the proposals cannot support the provision of such.

- 7.06 The proposed residential accommodation complies with all relevant standards in terms of matters such as floor areas, storage provision, internal head height, internal daylight, appropriate layout and outlook. As the Air Quality Assessment demonstrates future residents will not suffer as a result of pollution from traffic in the area. As the Noise and Sound Insulation Report demonstrates future residents will not suffer unacceptable noise disturbance from the continued operation of the existing pub.
- 7.07 The proposed development has been designed to be sustainable in all respects as is demonstrated by the BREEAM Assessment and Energy Assessment. The proposals incorporate PV Panels on the roof. Overall the proposed development will reduce carbon dioxide emissions by 39.6% over Building Regulations requirements.
- 7.08 No off-street car parking is or can be provided. The development will therefore be “car free” with a Legal Agreement removing the rights of future residents to obtain car parking permits, as is the case with the extant planning permission. Cycle parking, refuse and recycle storage, are all provided in accordance with appropriate standards.
- 7.09 The proposals have been carefully considered so as to ensure no unacceptable harm to neighbours amenities. The Daylight and Sunlight Assessment demonstrates no harm to neighbours sunlight or daylight. The design and layout ensures no unacceptable overlooking or harm to neighbours outlook.
- 7.10 Reference has been made throughout this Statement to the similarities with the extant planning permission. That permission is a fundamentally relevant material consideration despite the fact that it was granted planning permission prior to the adoption of the Local Authority’s current Local Plan 2017. All conditions precedent have been discharged with the Applicant about to commence development at the date of submission of this application. It is probable that by the time the application is determined building works will be underway.
- 7.11 For the reasons discussed in detail in the preceding sections the proposals comply with all relevant policies and guidance at national, strategic and local level

## APPENDIX

'A'





**PTAL output for Base Year 4**

NW6 1NR  
Mill Ln, London NW6 1NR, UK  
Easting: 524810, Northing: 185101

Grid Cell: 104718

Report generated: 15/11/2017

Calculation Parameters	
Day of Week	M-F
Time Period	AM Peak
Walk Speed	4.8 kph
Bus Node Max. Walk Access Time (mins)	8
Bus Reliability Factor	2.0
LU Station Max. Walk Access Time (mins)	12
LU Reliability Factor	0.75
National Rail Station Max. Walk Access Time (mins)	12
National Rail Reliability Factor	0.75

**Map key - PTAL**

	0 (Worst)		1a
	1b		2
	3		4
	5		6a
	6b (Best)		

**Map layers**

- PTAL (cell size: 100m)

Calculation data

Mode	Stop	Route	Distance (metres)	Frequency(vph)	Walk Time (mins)	SWT (mins)	TAT (mins)	EDF	Weight	AI
Bus	FORTUNE GREEN	328	532.94	9	6.66	5.33	12	2.5	0.5	1.25
Bus	MILL LASUMATRARD	C11	84.3	7.5	1.05	6	7.05	4.25	1	4.25
Bus	SHOOT UP HILL MILL LANE	16	549.15	9	6.86	5.33	12.2	2.46	0.5	1.23
Bus	SHOOT UP HILL MILL LANE	32	549.15	7.5	6.86	6	12.86	2.33	0.5	1.17
Bus	SHOOT UP HILL MILL LANE	316	549.15	7.5	6.86	6	12.86	2.33	0.5	1.17
Bus	SHOOT UP HILL MILL LANE	332	549.15	6	6.86	7	13.86	2.16	0.5	1.08
Bus	SHOOT UP HILL MILL LANE	189	549.15	7.5	6.86	6	12.86	2.33	0.5	1.17
Rail	West Hampstead	'BEDFDM-SUTTON 1O13'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'STALBCY-SVNOAKS 2E11'	838.19	1	10.48	30.75	41.23	0.73	1	0.73
Rail	West Hampstead	'BEDFDM-SVNOAKS 2E19'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'LUTON-SVNOAKS 2E21'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'STALBCY-SVNOAKS 2E95'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'SUTTON-LUTON 2O00'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'SUTTON-BEDFDM 2O04'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'SUTTON-STALBCY 2O06'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'SUTTON-LUTON 2O10'	838.19	1	10.48	30.75	41.23	0.73	0.5	0.36
Rail	West Hampstead	'LUTON-SUTTON 2O17'	838.19	0.67	10.48	45.53	56	0.54	0.5	0.27
Rail	West Hampstead	'STALBCY-SUTTON 2O21'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'STALBCY-SUTTON 2O29'	838.19	0.67	10.48	45.53	56	0.54	0.5	0.27
Rail	West Hampstead	'LUTON-BCKNHMJ 2S91'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'STALBCY-BROMLYS 2S93'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'BRGHTN-BEDFDM 2T02'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'BRGHTN-BEDFDM 2T04'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'SUTTON-STALBCY 2V02'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'SUTTON-STALBCY 2V08'	838.19	0.67	10.48	45.53	56	0.54	0.5	0.27
Rail	West Hampstead	'BEDFDM-SUTTON 2V15'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'SUTTON-BEDFDM 2V16'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'LUTON-SUTTON 2V19'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'STALBCY-SUTTON 2V27'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'LUTON-SUTTON 2V31'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'ORPNGTN-STALBCY 2D93'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'ORPNGTN-LUTON 2D95'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'SVNOAKS-STALBCY 2E59'	838.19	0.67	10.48	45.53	56	0.54	0.5	0.27
Rail	West Hampstead	'SVNOAKS-LUTON 2E61'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'SVNOAKS-WHIMPSTM 2E63'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15
Rail	West Hampstead	'BROMLYS-LUTON 2E93'	838.19	0.33	10.48	91.66	102.14	0.29	0.5	0.15

Total Grid Cell AI: 16.93

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