



Planning Statement

169 West End Lane, NW6 2LH

Boyer

Prepared on behalf of Linda Greenwall | June 2018

Report Control

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APPENDIX

Appendix One – Officers Report

1. INTRODUCTION

- 1.1 This Planning Statement is prepared on behalf of Linda Greenwall to support the revised development at 169 West End Lane, London, NW6 2LH following a previous refusal of planning permission for a similar development on 22 September 2017 (LPA reference: 2017/3582).
- 1.2 The revised development has addressed the Council's previous concerns and comprises:
- “Change of use to utilise the basement and rear ground floor (A1 use) to form single flat (C3 use) including the installation of a lightwell”.*
- 1.3 This Statement should be read in conjunction with the full planning application submission and other supporting documents including the drawings and Design and Access Statement, Basement Impact Assessment and Daylight – Sunlight Report.
- 1.4 The statement is structured as follows:
- Section 2 – site surrounding area;
 - Section 3 – planning history
 - Section 4 – planning policy context
 - Section 5 – assessment of the proposals
 - Section 6 – conclusion
- 1.5 The application comprises of the following documents
- Planning Statement prepared by Boyer
 - Design and Access Statement prepared by Eveleigh Designs
 - Existing and Proposed drawings prepared by Eveleigh Designs
 - Basement Impact Assessment prepared by Ethos Construction Solutions Ltd
 - Daylight – Sunlight Report prepared by Right of Light Consulting

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2. SITE AND SURROUNDING AREA

Site and Surrounding Area

- 2.1 The application site, 169 West End Lane, lies on the corner of West End Lane and Sheriff Road opposite St James' Church and to the south of the train line and West Hampstead Station.
- 2.2 The property is currently used as retail unit (Use Class A1) on the basement and ground floor with residential flats on the upper floors.
- 2.3 The building is not listed however, it is designated as positive contributor within the northern boundary of the South Hampstead Conservation Area.
- 2.4 The church of St James situated across Sheriff Road is designated as a Grade II listed building.
- 2.5 There is a prevalence of basement flats, including the installation of lightwells on Sheriff Road including the neighbouring site at no. 169A West End Lane.
- 2.6 The site is located within the West Hampstead town centre and located within flood zone 1 (lowest risk).
- 2.7 The PTAL rating of the site is 6a, representing a very good level of public transport accessibility.

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3. PLANNING HISTORY AND THE PROPOSED DEVELOPMENT

3.1 A planning permission was refused by Camden Council for a similar, albeit larger development on 22 September 2017 (ref: 2017/3582/P). The development comprised the conversion of the basement and rear ground floor to form 1 studio and 1 one bedroom flats including the installation of a lightwell.

3.2 In refusing permission for the previous development, the Council identified the following seven reasons for refusal:

Reason 1

3.3 The proposed lightwell by virtue of its scale, footprint and detailed design would appear as an incongruous development that would have an adverse impact on the character and appearance of the host building, adjacent buildings and the South Hampstead Conservation Area. The application is therefore contrary to policies D1 (Design), D2 (Heritage) and A5 (Basement) of the Camden Local Plan 2017.

Reason 2

3.4 In the absence of sufficient supporting information regarding the sunlight and daylight impact of the proposed development the applicant has failed to demonstrate that development would not cause a harmful loss of sunlight or daylight to the future occupiers of the proposed units contrary to policy A1 (Managing the impact of development) of the Camden Local Plan 2017.

Reason 3

3.5 The proposed residential units, by reason of insufficient outlook would result in substandard living accommodation to the detriment to future occupiers, contrary to Policy A1 (Managing the impact of development) of the Camden Local Plan 2017.

Reason 4

3.6 In the absence of sufficient supporting information regarding the basement level excavation the application has failed to demonstrate the impact of the basement level development contrary to policy A5 (Basements) of the Camden Local Plan 2017.

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Reason 5

- 3.7 The proposed development, in the absence of a legal agreement securing a highway contribution for necessary highway works, would fail to secure adequate provision for the safe movement of pedestrians and have an unacceptable impact on the public highway, contrary to Policies A1 (Managing the impact of development) and T3 (Transport Infrastructure) of the Camden Local Plan 2017.

Reason 6

- 3.8 The proposed development, in the absence of a legal agreement to secure the residential units as “car free” housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and promote the use of non-sustainable modes of transport, contrary to policies T1 (Prioritising walking, cycling and public transport) and T2 (Car-free development and limiting the availability of parking) of the Camden Local Plan 2017.

Reason 7

- 3.9 The proposed development, in the absence of a legal agreement securing a construction management plan, would be likely to give rise to conflicts with other road users, and be detrimental to the amenities of the area generally, contrary to Policies A1 (Managing the impact of development) and T4 (Sustainable movement of goods and materials) of the Camden Local Plan 2017.
- 3.10 In order to address and overcome these reasons, the proposal has been revised and now proposes a single unit with a bedroom on the ground floor and a second bedroom in the basement including a lightwell of a depth of 3.4m. The total GIA of the flat would be 108sq.m. As explained in detail later in this statement, the revised development has addressed and overcome the Council's previous concerns.
- 3.11 In terms of materials the new external finishes are coordinated with the existing and include; white painted render, grey colour coated aluminium double glazed windows, galvanised open tread metal staircase and a glass balustrade around the lightwell with stainless steel fittings.
- 3.12 The new access will be via the new stairs in the front light-well which will be a significant improvement to the existing steep staircase at the rear of the retail unit.
- 3.13 The application is supported by a daylight sunlight assessment which concludes that the proposed residential unit would have good levels of daylight/sunlight, outlook and privacy. Furthermore a Basement Impact Assessment has been submitted which concludes that, subject to an appropriate monitoring regime being established during construction, there are no outstanding issues of concern (singularly or cumulatively) from a stability, groundwater or surface water perspective. Therefore the fourth reason for refusal previously identified by the Council has been overcome.

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3.14 Reasons for refusal 5-7 relate to the absence of a legal agreement and can be resolved during the course of the planning application.

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4. PLANNING POLICY CONTEXT

The Development Plan

- 4.1 This section outlines the relevant planning policy context which will be considered in the determination of the application proposals. Section 5 assesses the application proposal against the Development Plan documents which currently comprises the London Plan (as amended 2015) and the Camden Local Plan, which includes:

Camden Local Plan (2017)

- 4.2 The Council's relevant Supplementary Planning Document has also been considered, in particular Hampstead Conservation Area Statement.

National Planning Policy

National Planning Policy Framework

- 4.3 In March 2012, the National Planning Policy Framework (NPPF) was published by the Department of Communities and Local Government. The NPPF sets out the Government's economic, environmental, and social planning policies for England; it states that the purpose of the planning system is to contribute to the achievement of sustainable development. In terms of development management, the NPPF advises that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development.
- 4.4 The overarching national planning policy theme evident from the NPPF is a presumption in favour of sustainable development, which the Government have advised should be at the heart of the planning system and, which should be seen as a "golden thread" running through both plan making and decision taking.
- 4.5 Paragraph 17 of the NPPF identifies the core planning principles which should underpin both plan-making and decision-making, these include: Finding ways to enhance and improve the places in which people live their lives: Seeking to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings.
- 4.6 Paragraph 47 of the NPPF seeks to boost the supply of housing.
- 4.7 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 4.8 Paragraph 50 of the NPPF seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable.

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Regional Planning Policy

London Plan 2016

- 4.9 The London Plan (2016) provides the strategic policy context for all of London and seeks to provide an integrated framework for its development to 2031. The Mayor's strategic policies aim to provide more homes, promote opportunity and provide a choice of homes for all Londoners that meet their needs at a price they can afford.
- 4.10 Policy 3.3 seeks to increasing housing supply by recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford.
- 4.11 Policy 3.4 seeks to optimise housing potential by taking into account local context and character.
- 4.12 Policy 3.5 Quality and Design of Housing Developments states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in the Plan to protect and enhance London's residential environment and attractiveness as a place to live. Policy 3.5 refers to the minimum space standards for residential units.
- 4.13 Policy 7.4 Local Character seeks proposals to have regard to the form, function and structure of an area, place, or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features.
- 4.14 Policy 7.6 Architecture states that positive contribution to a coherent public realm and streetscape; by incorporating both high quality materials and design.
- 4.15 Policy 7.8 Heritage Assets and Archaeology states that development within conservation areas should incorporate measures that identify, record, interpret, protect and, where appropriate, present the site's archaeology.

Local Planning Policy

Camden Local Plan (2017)

- 4.16 The London Borough of Camden have recently adopted their new Local Plan (2017). The vision includes four themes which aim to make sure that Camden adapts to a growing population; has an economy that includes everyone, is connected where people can live active, healthy lives; and create a safe Camden that is a vibrant part of a world city.
- 4.17 The relevant policies contained within the Local Plan are considered to be:
- Policy G1 Delivery and location of growth
 - Policy H1 Maximising Housing Supply
 - Policy H2 Maximising the supply of self-contained housing from mixed-use schemes

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- Policy H3 Protecting existing homes
- Policy H4 Maximising the supply of affordable housing
- Policy H5 Protecting the and improving affordable housing
- Policy H6 Housing Choice and mix
- Policy H7 Large and small homes
- Policy C1 Health and wellbeing
- Policy A1 Managing the impact of development
- Policy A4 Noise and vibration
- Policy D1 Design
- Policy D2 Heritage
- Policy DM1 Delivery and monitoring

Supplementary Planning Guidance

- 4.18 Camden has adopted eight Planning Guidance documents which cover a variety of topics such as design, housing, amenity and transport. Of particular relevance to this application is Camden Planning Guidance 4 – Basements (2018). The document provides guidance which applies to all developments in Camden which propose new basements.
- 4.19 The document sets out the key message that the Council will not permit basement developments which: will cause harm to the local environment and amenity, or will cause instability or result in flooding. The document also sets out how the Council will require applicants to demonstrate, using appropriate methodologies, that schemes will: maintain the structural stability of the application building and neighbouring buildings, will avoid adversely affecting drainage and run-off, and avoid cumulative impacts upon structural stability or the water environment in the local area.

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5. THE PROPOSED DEVELOPMENT

- 5.1 This section explains how the revised proposed development has addressed and overcome the seven reasons for refusal with the previous application at this site (ref: 2017/3582/P). As a result of the design changes and the additional evidence submitted in support of the application, it is concluded hereunder that the proposed development complies with the objectives of relevant development plan policies and associated guidance.

Change of use

- 5.2 The change of use has been accepted by the Council as quoted (within the officer report (ref: 2017/3582/P; please see appendix 1) :

“The change of use of the basement and rear ground floor retail (Use Class A1) to form a studio and one bedroom flat (Use Class C3) is considered acceptable on the basis that the retail area at ground floor would be retained and therefore unit would contribute to the viability and vitality of the West Hampstead Town Centre.”

- 5.3 In the light of this recent statement and in the absence of any material change in policy objectives, the same conclusion should again be reached.

Basement Development

- 5.4 The proposed excavation of the basement introduces a range of very particular considerations including impacts on drainage, flooding, groundwater conditions and structural stability. Consequently LB Camden have adopted Policy A5 (Basements) which highlights that the Council will only permit basement development where it is demonstrated to the Council's satisfaction that the proposals will not cause harm to:

- a. neighbouring properties;
- b. the structural, ground, or water conditions of the area;
- c. the character and amenity of the area;
- d. the architectural character of the building; and
- e. the significance of heritage asset.

- 5.5 Camden Planning Guidance: Basements (CPG 4) also provides detailed guidance outlining how the Council will apply planning policies when making decisions on new basements developments.

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- 5.6 Policy A5 (basements) outlines that proposals for basements must not harm neighbouring properties or the structural, ground or water conditions in the area. In order to demonstrate compliance with the policy, planning applications for basement extension must be supported by a Basement Impact assessment (BIA) produced by chartered engineer who is a member of a their relevant professional body. The applicants have commissioned a Basement Impact Assessment by Knapp Hicks and Partners Ltd which addresses each of the matters set out within Local Plan policy A5. This BIA is included as part of the planning application submission.
- 5.7 The BIA, having been informed by site investigation data and information regarding the construction methods provides a detailed assessment of the soil type and flood risk. The BIA also provides details relating to the construction sequence, loading and allowable bearing capacity. The assessment minimises any potential risk to the structure and foundations of the property and neighbouring properties during the course of construction.
- 5.8 The Assessment identifies that the proposed basement will not have any impact upon the surface water being received within the site or on neighbouring sites. Furthermore, the site is not located close to an existing water course or a flood risk area.
- 5.9 Overall the BIA concludes that, subject to an appropriate monitoring regime being established during construction, there are no outstanding issues of concern (singularly or cumulatively) from a stability, groundwater or surface water perspective. Therefore the proposals are in line with Camden's basement planning Policy A5 and Camden Planning Guidance: Basements. In the light of the evidence contained in the BIA, it is clear that the fourth reason for refusal previously identified by the Council has been overcome.

Design and Impact on Conservation Area

- 5.10 The application property is located within the South Hampstead Conservation Area.
- 5.11 Camden's Local Plan Policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area.
- 5.12 Local Plan Policy D2 (Heritage) sets out that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. In order to maintain the character of Camden's conservation areas the Council will take account of conservation area statements and appraisals when assessing applications.
- 5.13 The South Hampstead Conservation Area Appraisal contains a specific section which addresses basement developments. This highlights that the Council will resist basement developments, and associated lightwells where they are considered to harm the character and appearance of the conservation area.

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- 5.14 The Conservation Area Appraisal explains that the creation of new lightwells can harm the relationship between the building and the wider streetscape. Railings around lightwells can cause a cluttered appearance to the front of the property.
- 5.15 Lightwells are present along Sheriff Road frontages; for instance there is a lightwell at no. 169A West End Lane and at other residential properties in close proximity to the application site. Accordingly, it is the case that the streetscape in this particular part of the conservation area is characterised by lightwells. Through careful design, the proposal does not harm the character and appearance of the conservation area. Additionally, the development would be carried out using appropriate, high quality materials and finishes, which will help to ensure that development quickly and positively assimilates into the surrounding context, overall securing the preservation of the area's character. Notably, the use of simple glazed balustrading will avoid the cluttered appearance which can arise from the use of railings.
- 5.16 In the event that the Council identifies harm arising from the development, the harm can only be negligible given the limited visibility of the development and its limited impact on the street scene. As such, pursuant to paragraph 134 of the NPPF, the development should be supported if the countervailing public benefits outweigh the harm. The development of a single flat gives rise to significant public benefit in respect of housing delivery. Additionally, the development would provide a small unit of accommodation ideally suited to young and/or first time buyers looking to acquire their first property. The development would, as a result, assist in enhancing choice in the housing market and increasing ownership opportunities. The small increase in local residential population would also help in sustaining local shops, services and facilities through additional income and use. Clearly, therefore, the public benefits outweigh the harm (if any would arise) and as such, the development should be supported given that the policy test at paragraph 134 is met.
- 5.17 The development will not affect the host building's positive role in the conservation area and the positive features and will improve the appearance and functionality the building. In addition the sympathetic design does not have an unacceptable impact upon the character and appearance of the building.
- 5.18 The proposed lightwell will be located within a retail corner frontage which is unused for a means of access or delivery service; therefore the lightwell will not detract from the retail frontage and will not hinder its potential in the future.
- 5.19 In the light of the above, it is considered that the first reason for refusal has been overcome and that this revised proposed development is compliant with the objectives of Local Plan Policies D1, D2 and A5.

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Standard of Accommodation & Amenity

- 5.20 Camden Local Plan Policy A1 (Managing the impact of development) sets out that the Council will seek to protect the quality of life of occupiers and neighbours. The Council will grant planning permission for development unless the proposals cause unacceptable harm to the amenity. The factors the Council will consider in determining planning applications include visual privacy, outlook, sunlight daylight and overshadowing.
- 5.21 The previous application was refused partly on the ground of unacceptable light amenity (reason for refusal 2). The revised application is supported by a daylight/sunlight assessment which demonstrates that all habitable rooms surpass the BRE Average Daylight Factor targets and all rooms would pass the room depth test.
- 5.22 The Daylight/Sunlight report confirms that the proposed design achieves a high level of compliance against all of the requirements set out in the BRE guide 'Site Layout Planning for Daylight and Sunlight'. Therefore there is no daylight and sunlight related reason why planning permission should not be granted for the scheme. Hence it is in accordance with Policy A1 of the Local Plan and CPG6 (Amenity) and the Technical Housing Standards 2015.
- 5.23 The Council's third reason for refusal relates to the provision of outlook from the basement unit. The flat would meet the technical space standards, with appropriate levels of amenity space which meets the London Plan space standards. The orientation and layout of the flat with large windows would maximise the levels of outlook, creating a high quality living environment for all future residents of the development. As a result of these changes, the quality of outlook complies with policy requirements and as such, the revised proposed development is now considered to be acceptable and compliant with the objectives of Local Plan Policy A1.

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6. CONCLUSION

- 6.1 It has been demonstrated through this Planning Statement and the additional supporting information submitted with this planning application that the proposals have taken full account of the Council's comments and had regard to the development plan policies, and would as a result be an acceptable form of development.
- 6.2 The revised application comprises of change of use to utilise the basement and rear ground floor (A1 use) to form a single flat (C3 use) including the installation of a lightwell.
- 6.3 The main issues of the refused application (2017/3582/P) concerned the effect of the proposed development on the character and appearance of the area and the impact on the living conditions of future occupants with particular reference to outlook and light, as well as concerns surrounding the absence of a Basement Impact Assessment.
- 6.4 The basement is considered to be in keeping with the scale and proportions of the existing property and complies with each of the specific design criteria set out within Local Plan policy A5 (Basements). The design of the basement, being entirely subterranean, prevents the loss of privacy or overlooking to the occupiers and neighbours of the property.
- 6.5 The design of the development would achieve a high standard, preserving the character of the conservation area without, in our assessment, causing any harm. In the event that harm would arise, such harm would at most be negligible and has been demonstrated to have been clearly outweighed by the public benefits arising from the proposed development.
- 6.6 The proposed residential accommodation would be of high quality and would meet technical space standards and have good levels of daylight/sunlight, outlook and privacy.
- 6.7 It is considered that the proposals would comply with the relevant policies of the development plan, taking account of material considerations, and would therefore be acceptable and planning permission should be approved without delay, subject to necessary safeguarding planning conditions.

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**APPENDIX ONE – OFFICERS REPORT (REF:
2017/3582/P)**

Delegated Report		Analysis sheet		Expiry Date:		16/08/2017	
		N/A / attached		Consultation Expiry Date:		17/08/2017	
Officer				Application Number(s)			
Alyce Keen				2017/3582/P			
Application Address				Drawing Numbers			
169 and 169A West End Lane LONDON NW6 2LH				GA 02/A, GA 04, GA 03/A, SV 03, SV 02, GA 01/A, SV 01/A.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Change of use to utilise the basement and rear ground floor (A1 use) to form a studio and 1 bedroom flat (C3 use) including the installation of a lightwell.							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:		No consultation responses were received in response to this planning application.					
CAAC/Local groups* comments: *Please Specify		Even though the application site is located in the South Hampstead Conservation Area there is no relevant CAAC for this conservation area.					

Site Description

169 West End Lane lies on the corner of West End Lane and Sherriff Road opposite St James' church and to the south of the train line and West Hampstead station. The building is not listed however it is designated as a positive contributor within the northern boundary of the South Hampstead Conservation Area. The church of St James situated across Sherriff Road is designated as a Grade II listed building. The site is also located within the West Hampstead town centre.

Relevant History

05/04/2006 (2006/0442/P) Refused:

The erection of a two-storey front extension and a new second floor to the existing two storey rear wing of the building facing Sherriff Road to form a 2 bedroom maisonette on ground to 2nd floors; enlargement of the retail storage area at basement level and conversion of the residential upper floor maisonette of the main building into 2 x one bedroom flats and a studio flat, including an extension at side/rear 3rd floor roof level, and insertion of new dormer on the side roof slope; alterations to fenestration along Sherriff Road; creation of new entrances, new forecourt boundaries and new refuse areas on Sherriff Road.

Reasons

1. The proposed extensions at ground, 1st and 2nd floor levels to the rear wing of the property, by reason of their position, bulk and design, would detract from the subordinate character of that part of the building, would mask and dominate views of the neighbouring property (West Hampstead Studios) in the street scene, and would be detrimental to the character and appearance of this part of the conservation area.

2. The proposed development, by reason of the creation of additional residential units without off street parking provision, is likely to increase parking demand and add to the congestion of this Heavily Parked Street.

12/09/2006 (2006/3128/P) Planning permission with conditions and a S106 Agreement for:

Change of use of existing five bedroom unit and part retail unit to one 1-bedroom dwelling, two 1-bedroom self-contained flats and one studio flat (Class C3). Erection of an extension at rear third floor level with dormer window facing Sheriff Road, creation of a new entrance and erection of boundary wall around entrance, and alterations to existing basement lightwell, boundary wall and fenestration (Sheriff Road elevation).

01/09/2010 (2010/2643/P) Planning permission with conditions and a S106 Agreement for: Change of use of existing five bedroom unit and part retail unit to one 1-bedroom dwelling, two 1-bedroom self-contained flats and one studio flat (Class C3). Erection of an extension at rear third floor level with dormer window facing Sheriff Road, creation of a new entrance and erection of boundary wall around entrance, and alterations to existing basement lightwell, boundary wall and fenestration (Sheriff Road elevation).

08/07/2011 (2011/2526/P) Planning permission was granted for: Installation of fixed glazed panels to front lightwell at existing dwelling (Class C3).

Relevant policies

LDF Core Strategy and Development Policies

Camden Local Plan 2017:

G1 Delivery and location of growth

H1 Maximising housing supply

H4 Maximising the supply of affordable housing

H6 Housing choice and mix

H7 Large and small homes

A1 Managing the impact of development

A5 Basements

C5 Safety and security

C6 Access for all

D1 Design

D2 Heritage

TC2 Camden's centres and other shopping areas
CC1 Climate change mitigation
CC2 Adapting to climate change
CC3 Water and flooding
CC4 Air quality
CC5 Waste
T1 Prioritising walking, cycling and public Transport
T2 Parking and car-free development

Camden Planning Guidance:

CPG1 Design (2015)
CPG2 Housing (2015)
CPG3 Sustainability (2015)
CPG5 Town Centres, Retail and Employment (2013)
CPG6 Amenity (2013)
CPG7 Transport (2013)
CPG8 Planning Obligations (2015)

South Hampstead Conservation Area character appraisal and management strategy 2011

Assessment

Proposal

The proposed scheme is for the creation of two (2) residential units including a studio (area 37.2sqm) and 1 bedroom flat (50sqm). The studio will be located on the basement level and the 1 bedroom flat will be split across the basement and ground floor. The residential units would be access by the staircase located in the proposed lightwell. Both units will be single aspect facing into the lightwell with the 1 bedroom flat also containing a ground floor window. The lightwell measures as 6.9m x 1.3m at a depth of 2.7m.

Change of Use

The change of use of the basement and rear ground floor retail (Use Class A1) to form a studio and 1 bedroom flat (Use Class C3) is considered acceptable on the basis that the retail area at ground floor would be retained and therefore the unit would contribute to the viability and vitality of the West Hampstead Town Centre.

Design & Character

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. The Local Plan policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area. Camden's Local Plan Document is supported by CPG1 (Design).

In principle, the installation of a lightwell on the Sherriff Road frontage is not considered acceptable. It is acknowledged that there is a lightwell at no. 169A West End Lane and at some residential properties along Sherriff Road. However it is considered that the proposed location of the lightwell is not appropriate as it is within the retail corner frontage, which should be preserved for an activated retail frontage. The introduction of a lightwell in this location would detract from the retail frontage and hinder it's potential in the future.

The building is considered to make a positive contribution to the Conservation Area and entails some key detailing and architectural features on the front facade as well as on the side elevation. The lightwell and particularly the modern glass balustrade would detract from the traditional style and character of the host building.

The proposed installation of a lightwell on Sherriff Road is considered to be contrary to policy D1 of the Camden Local Plan 2017 and the CPG1 of the Camden Planning Guidance.

Basement development

The proposed scheme includes the installation of a lightwell on Sherriff Road, which would require basement level excavation.

Policy A5 states that the Council will only permit basements where it is demonstrated to its satisfaction that the proposal would not cause harm to neighbouring properties; the structural, ground or water conditions of the area; the character and amenity of the area; the architectural character of the building; and the significance of heritage assets.

The application should have been supported with a Basement Impact Assessment to demonstrate compliance with Policy A5. If the proposed scheme were to be considered acceptable the Council would have requested a Basement Impact Assessment, which may have been subject to independent review at the cost to the applicant.

Amenity

Policy A1 of the Local Plan seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight. Camden's Local Plan Document is supported by CPG6 (Amenity).

Due to the siting and nature of the development the proposed residential units are not considered to impact of neighbouring amenity.

Standard of Accommodation

The Technical Housing Standards 2015 specifies that residential units should meet particular internal area requirements. From review of the plans it appears that both residential units comply with the 37sqm for a 1 person 1 bedroom unit and 50sqm for a 2 person 1 bedroom unit.

The proposed sections appear to demonstrate that the floor to ceiling height measures as 2.4m. Therefore the floor to ceiling height is compliant with the required minimum of 2.3m as specified in the Standards.

The proposed flats to be located in the basement level are considered to provide substandard residential accommodation, particularly in regard to residential standards in terms of sunlight/daylight. Insufficient information has been provided to demonstrate that sufficient light will be provided to the proposed flats. If the scheme were considered to be acceptable a BRE Sunlight/Daylight Assessment would have been requested.

The proposed residential units are not considered to provide sufficient outlook, for the reasons being that the units are to be located within the basement level with three single aspect outlook windows facing out to a confined lightwell. In addition, the 1 bedroom flat proposes the bedroom to be located at ground level with a large full height window, which would raise privacy issues.

Affordable Housing

Policy H4 in the Local Plan sets out the Council's aims to seek to negotiate the maximum reasonable amount of affordable housing. Policy H4 states "We will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more". Policy H4 (g) states that where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing.

The addition of residential floor space for the proposed scheme is 87.2sqm. This additional GIA falls below the 100sqm trigger therefore an affordable housing contribution would not be required if the scheme were considered to be acceptable.

Sustainability

In line with policies CC1, CC2 and CC3 of the Camden Local Plan 2017, all developments in Camden

are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

If the scheme were to be considered acceptable Council would have encouraged the proposed scheme to meet the sustainability standards.

Transport

Policy T1 Prioritising walking, cycling and public transport of the Local Plan states that Council will promote sustainable transport by prioritising walking, cycling and public transport in the borough.

Construction Management Plan

It is important that effective measures are taken during demolition and construction works to ensure that damage is not caused to the host building, neighbouring buildings or the surrounding highways.

The Council requires a Construction Management Plan (CMP) for basement developments where appropriate, to manage and mitigate the greater construction impacts of these schemes. CMPs will be required for schemes on constrained sites, in conservation areas, on sites adjacent to a listed building, or in other areas depending on the scale of the development and the conditions of the site.

If the proposed scheme were to be considered acceptable the Council would have secured a Construction Management Plan via a Section 106 legal agreement. As the proposal is being refused, a reason for refusal will be based on the absence of the Section 106 agreement to secure a Construction Management Plan.

Car Parking

Policy T2, of the Local Plan states that Council will limit the availability of parking and require all new developments in the borough to be car-free.

The proposed scheme does not include any car parking. To ensure the development is car free, a Section 106 legal agreement would be used to secure this. As the application is recommended for refusal, a reason for refusal would be raised in respect of the absence of a Section 106 legal agreement.

Cycle Parking

Cycle Parking minimum standards for C3 (Dwellings) as specified in the London Plan are 1 space per studio and 1 bedroom unit or 2 spaces per all other dwellings. This development would be required to provide 2 spaces. The proposed scheme does not demonstrate cycle parking being provided on site, which is not in accordance with the London Plan requirements. However as the site is constrained by the existing built form and as it is located in a well serviced area for public transport, on balance no cycle parking being provided on-site is considered acceptable in these circumstances.

Pedestrian Movement

Policy A1 also states that the council will expect any development or works affecting highways to avoid disruption to the highway network, including the footway. The council also expects developments connecting to the highway network to avoid causing harm to highway safety or hinder pedestrian movement and avoid unnecessary street clutter.

The proposal is considered to introduce a physical obstruction to pedestrian movement, at a location where pedestrian routes converge near a junction and crossing. This would be a particular problem for people with sight impairments and could lead to safety issues. The proposal, by reducing the useable footway space, would hinder pedestrian movement. In addition, the proposal by introducing railings would constitute unnecessary street clutter.

In this instance the loss of useable footway would only diminish the existing pedestrian route and would not be in line with this policy.

Policy C6 states that the Council will expect improvements for all pedestrians including disabled people to ensure good quality access and circulation arrangements, including improvements to existing routes, surfaces and footways.

This development would not represent an improvement to the street environment. It would be detrimental as it would reduce the extent of useable footway available to the general public.

CIL

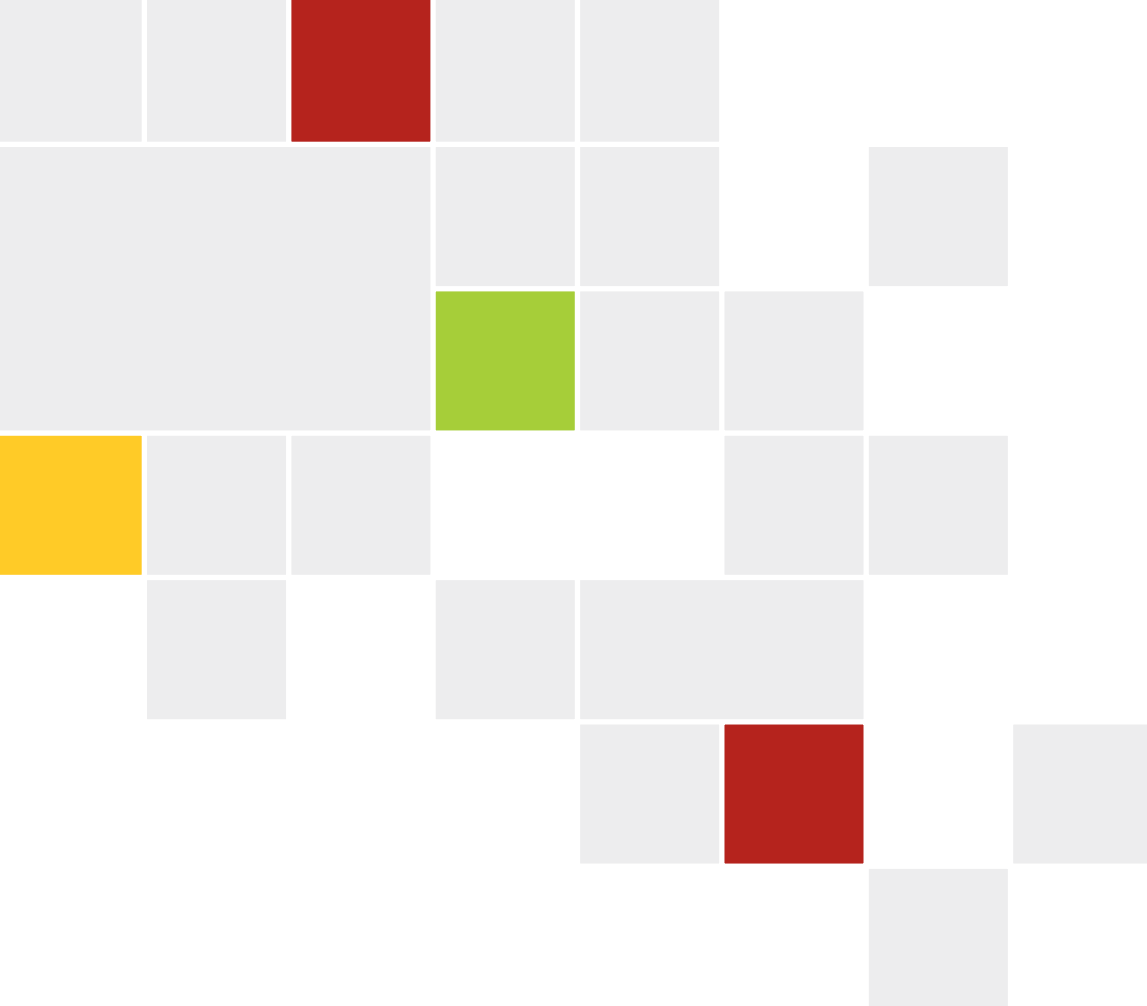
The scheme would be liable for Community Infrastructure Levy for both the Mayor of London and the London Borough of Camden.

The Mayor's CIL applies to all development that adds one or more dwellings or more than 100sqm of floorspace at a rate of £50 per sqm. The Council's CIL equally applies to all new dwellings at a rate of £500 per sqm in the Zone B (Rest of Camden) area. As the proposal is for 2 new dwellings it would be liable for both CILs.

Conclusion

For the reasons outlined above the proposed scheme, by reason of the introduction of a lightwell in this location would detract from the retail frontage and in particular the modern glass balustrade would detract from the traditional style and character of the host building and the surrounding Conservation Area. In addition, the proposed flats located in the basement level would provide substandard accommodation, particularly in regard to residential standards in terms of sunlight/daylight and outlook. In terms of transport, the proposal, by reducing the useable footway space, would hinder pedestrian movement and result in pedestrian safety issues. Consequently, the proposal would fail to accord with policies D1, D2, A1, A5, CC1, CC2, CC3, T1, T2, H6 and C6 of the Camden Local Plan 2017.

Recommendation: Refuse planning permission



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