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CHARTERED SURVEYORS

03 October 2018

Regeneration and Planning  
Development Management  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

F.A.O Gideon Wittingham

Dear Mr Wittingham

**PLANNING APPLICATION  
254 KILBURN HIGH ROAD, LONDON, NW6 2BS**

On behalf of our client, 254 Kilburn High Road LLP, please find enclosed a full planning application seeking full planning permission for the following development:

*"The creation of 6 no. residential dwellings within the permitted 6<sup>th</sup> floor of 254 Kilburn High Road, the installation of set-back windows to the exterior elevation at 6<sup>th</sup> floor level, the creation of external private amenity space and the provision of additional cycle parking spaces"*

**Background**

No. 254 Kilburn High Road ("the Site") is situated on the north-east side of Kilburn High Road, within the administrative authority of the London Borough of Camden ("the Council / LBC"). The site does not front Kilburn High Road but rather it is situated to the rear of a terrace of 3 - 3.5 storey buildings fronting Kilburn High Road. These buildings are predominately characterised by ground floor retail uses with residential dwellings located on the upper floors.

The Site previously contained a single storey warehouse which was used as a marble workshop and for storage purposes (Use Class B2 / B8). Demolition of the existing buildings on the Site was permitted by the Council under prior approval on 20 February 2015.

Planning permission for re-development of the Site to provide 60 residential flats and 955 sqm of commercial floorspace within a six storey building was permitted by the Council on 22 December 2016 under reference 2015/2775/P. This application has been implemented and construction works are at an advanced stage.

A subsequent minor-material amendment was approved by the Council under reference 2017/4669/P, for an additional 6<sup>th</sup> storey level within the roof void which would accommodate plant and servicing for the building alongside internal layout changes, exterior elevational amendments and amended cycle storage. This permission is currently under construction with the steel frame for the 6<sup>th</sup> floor currently being erected.

During the construction, the consultant design team has further considered and assessed the need and feasibility of roof level plant within the building. It has become apparent that the locating of plant at roof level is no longer

required nor is it practical due to installation, maintenance and safety considerations. This is set out in detail within the Servicing Strategy prepared by Walker Mower accompanying this application. The consultant team has concluded that the necessary plant can be located at ground floor level within the external cycle store and outbuilding.

Due to this, the ability of the building to deliver additional residential accommodation within the permitted 6<sup>th</sup> floor level has come forward, and is the focus of this application.

### **Planning History**

An online planning search has been undertaken on Camden's website and the relevant planning history for the Site is set out below:

**Application Ref:** 2014/3244/P

**Description:** Redevelopment of the site (following demolition of existing buildings) to provide a mixed use development, comprising the erection of six storey building (with set back top floor) to provide 989 sqm of commercial space (Classes B1 and B8) and 62 dwellings plus cycle parking, 2x disabled car parking bays, refuse/recycling facilities and access together with landscaping including outdoor amenity space.

**Decision Date:** 2 May 2015

**Decision:** Appeal Dismissed

**Application Ref:** 2015/0733/P

**Description:** Demolition of all buildings at 254 Kilburn High Road site for redevelopment

**Decision Date:** 20 February 2015

**Decision:** Prior Approval Given

**Application Ref:** 2015/2775/P

**Description:** Redevelopment of the site (following demolition of existing buildings) to provide a mixed use development, comprising the erection of six storey building (with set back top floor) to provide 955 sqm of commercial space (Classes B1 and B8) and 60 dwellings plus cycle parking, 2x disabled car parking bays, refuse/recycling facilities and access together with landscaping including outdoor amenity space.

**Decision Date:** 3 July 2015

**Decision:** Granted

**Application Ref:** 2017/2768/P

**Description:** Non-Material Amendment to internal layout to planning permission granted on 22/12/2016 (ref 2015/2775/P) for Redevelopment to provide a mixed use development, comprising the six storey of commercial space (Classes B1 and B8) and 60 dwelling.

**Decision Date:** 8 August 2017

**Decision:** Granted

**Application Ref:** 2017/4669/P

**Description:** Variation of Condition 2 (approved plans) to planning permission ref: 2015/2775/P granted 22/12/2016 (Redevelopment to provide a mixed use development, comprising the six storey of commercial space (Classes B1 and B8) and 60 dwellings) and non-material amendment ref: 2017/2768/P granted 08/08/2017, to amend roofline, elevational appearance, internal layout and cycle/substation storage areas.

**Decision Date:** 18 September 2018

**Decision:** Granted

## **The Proposals**

This application seeks planning permission for the following:

- Change of use of the 6<sup>th</sup> floor level from plant enclosure to provide 6 no. residential units;
- Amendments to the 6<sup>th</sup> floor elevation to introduce set-back windows;
- Creation of external private amenity space at 6<sup>th</sup> floor level; and
- Provision of an additional 7 no. cycle parking spaces within the existing cycle store.

## **Planning Assessment**

### *Principle of Residential Use*

The delivery of housing is considered to be a priority within LB Camden. Policy H1 (Maximising Housing Supply) of the Camden Local Plan (2017) states that the council will aim to deliver 16,800 homes from 2016/18 – 2030/31 with self-contained housing regarded as the priority land use of the local plan.

While the principle of residential use on the Site has already been considered acceptable by the Council through the grant of permission for the original development (Reference. 2015/2775/P), the conversion of the permitted 6<sup>th</sup> floor plant room to 6 no. self-contained residential units accords with the aims of Policy H1 and will contribute toward the Council's housing supply.

Additionally, Policy G1 (Delivery and Location of Growth), supports development proposals which make best use of its site, and resists development that makes inefficient use of land. The proposed development, does not alter the site layout and the building footprint is unchanged from the consented scheme, but successfully accommodates 6 additional apartments, and is therefore in accordance with this policy requirement making better use of the Site than the original development (Reference. 2015/2775/P), where permission was granted.

The principle of the conversion of the 6<sup>th</sup> floor plant room to create 6 no. self-contained residential units is considered acceptable.

### *Residential Mix*

Policy H7 (Large and Small Homes) of the Camden Local Plan states that the Council will aim to secure a range of homes of different sizes. The Council set out the dwelling size priorities within the Dwelling Size Priorities Table which emphasises a higher priority for 2 & 3-bed units over 1-bed units. Policy H7 also states that a flexible approach to assessing the proposed dwelling mix will be taken by the Council when assessing proposals.

The unit mix proposed at 6<sup>th</sup> floor level as part of this application is as follows:

- 4 x 1-bed units;
- 1 x 2-bed unit; and
- 1 x 3-bed unit.

While it is acknowledged that the proposed unit mix does not accord with the dwelling size priorities, the delivery of smaller unit enables the proposals to make a greater contribution toward the overall housing supply.

The proposed unit mix is therefore considered acceptable.

### *Residential Quality*

Policy H6 (Housing Choice and Mix) of the Camden Local Plan (2017) states that the Council will:

- a) Encourage design of all housing to provide functional, adaptable and accessible spaces;
- b) Expect self-contained homes to meet the national space standards;
- c) Require 90% of new-building self-contained homes to accord with Building Regulations M4; and
- d) Require 10% of new-build homes to be suitable or easily adapted for a wheelchair user.

As set out in the Design and Access Statement submitted as part of this application, all proposed 6 no. units will exceed the Nationally Described Minimum Space Standards.

The proposed residential units at 6<sup>th</sup> floor level will meet Lifetime Homes standards and will comply with Part M of the Building Regulations, satisfying Policy H6.

As such, the proposals are considered to comply with Policy H6.

### *Design Quality*

Policy D1 (Design) of the Camden Local Plan (2017), encourages development to exhibit a high quality of design, utilising materials that complement the existing setting and local character. The proposed development of the 6<sup>th</sup> floor adopts the same materials as have been previously approved by the council under application ref. 2018/0943/P; see the submitted Design & Access Statement for specific details.

Therefore, the proposals are considered to be acceptable in accordance with Policy D1.

### *Sunlight, Daylight & Overshadowing*

Policy A1 (Managing the Impact of Development) of the Camden Local Plan (2017) states that development should not cause an unacceptable adverse impact on amenity of occupiers and neighbours, including sunlight, daylight and overshadowing.

The proposed development provides the residential units located on the 6<sup>th</sup> floor with the same window provision as units located on floors 1-5 and thus is not considered to be a point of concern. The overall roof massing and profile will remain the same as that proposed in the previously consented scheme (2017/4669/P), meaning that the silhouette and profile of the main building against the skyline will be unchanged. Resultantly, would not be an increase in the potential for overshadowing on neighbouring uses as a result of the proposed development of residential units on the 6<sup>th</sup> floor.

The proposals are therefore considered acceptable regarding sunlight, daylight and overshadowing.

### *Noise*

Policy A1 (Managing the Impact of Development) of the Camden Local Plan (2017) makes reference also to noise levels for both occupiers and neighbours, stating that where considered necessary, mitigation measures will be required given the importance of this issue within the borough.

The Acoustic Report submitted as part of Application Ref. 2015/2775/P concluded that peak noise levels at the site would be within LB Camden's threshold and that conventional sound insulation measures would readily achieve the necessary acoustic protection. The proposed windows for the residential accommodation on the 6<sup>th</sup>

floor are to be set back behind the main façade of the building and would incorporate the same specification of double-glazed window adopted for the accommodation on the existing first to fifth floors. As such, it is considered that the proposed accommodation at sixth floor would achieve acceptable internal noise levels and would not give rise to additional noise impacts on adjacent neighbouring occupiers.

Furthermore, relocating the plant services to the ground floor will further minimise the noise impact on the occupiers of the existing building.

#### *Overlooking & Privacy*

Policy A1 (Managing the Impact of Development) of the Camden Local Plan (2017) states that development should not cause an unacceptable adverse impact on amenity of occupiers and neighbours, including overlooking and visual privacy

The proposals would introduce windows and external amenity space at the 6<sup>th</sup> floor level. The proposed windows and private amenity space will be sufficiently set back behind the envelope of the main façade of the 5<sup>th</sup> floor and would not result in any overlooking or impacts on privacy for occupiers of the site and adjacent neighbours.

The proposals are therefore considered acceptable in regard to amenity.

#### *Amenity Space*

Policy D1 (Design) of the Camden Local Plan (2017) sets out that development should include outdoor amenity space.

Policy A2 (Open Space) of the Camden Local Plan states that the Council will seek 9 sqm of amenity space provision per occupant for residential schemes.

The proposed 6<sup>th</sup> floor layout would provide generous amenity space in the form of private balconies for each of the proposed residential units. Each private balcony would exceed the space requirement sought by Policy A2.

The proposed private amenity space provision is therefore considered acceptable.

#### *Cycle Parking*

Policy T1 of the Camden Local Plan (2017) requires cycle parking provision to meet the standards outlined within the London Plan (Table 6.3)

The proposed residential mix would result in an additional cycle parking requirement of 8 no. cycle parking spaces, as per the London Plan requirements. As such, the existing bicycle store would be enlarged to allow for an increase to facilitate this additional cycle parking requirement.

The cycle parking provision that is proposed adheres to the London Plan requirements and is considered acceptable.



#### *Refuse Strategy*

Policy CC5 (Waste) seeks to ensure that developments include facilities for the storage and collection of waste and recycling.

The proposed bin store is the same size as that deemed acceptable in the most recently consented scheme 2017/4669/P, but has factored in the additional waste storage requirement generated by the no. 6 additional units.

The proposed refuse strategy is therefore in accordance with policy requirements and is deemed acceptable.

#### *Safety and Security*

Policy C5 (Safety and Security) of the Camden Local Plan (2017) requires development to make appropriate security and community safety measures in buildings. Specific to the proposed development, the relocation of the plant services to the ground floor has the following benefits:

- Improved access for maintenance;
- Plant services are segregated from residents and members of the public; and
- Reduced interaction with residential spaces, allowing for better risk management and improved safety.

The relocation of the plant services in the proposed development is considered to adhere to Policy C5.

#### *Accessibility*

Policy C6 (Access for All) expects development proposals to exhibit the highest practicable standards of accessibility so they can be used safely to ensure that development meets the principles of lifetime neighbourhoods.

The proposed development is designed to ensure safe, comfortable and independent use of the building, with unimpeded access and an ease of use and understanding. This includes the provision of:

- Level threshold entrances and common areas that provide full wheelchair access;
- Entrance doors have large handles and automatic power actuated opening devices;
- Furnishing and fittings have been adopted which aid the legibility of the building for vision and hearing impaired persons;
- Proposed residential units all allow for ease of access and mobility throughout; and
- A new 8 person lift in each core that serves floors 1st - 6th which complies with all requirements of chair bound occupants and visitors.

The proposed residential accommodation at 6<sup>th</sup> floor level is considered to adhere to Policy C6.

#### **Conclusion**

In summary, the proposed planning permission has come to fruition given that the permitted 6<sup>th</sup> floor is no longer required or considered suitable for the requisite building services as set out by Walker Mower in their statement accompanying this application.

The proposals seek to convert the permitted 6<sup>th</sup> floor space to 6 no. high quality residential units, which would optimise the potential of the Site to deliver additional residential accommodation within the permitted building envelope.

The delivery of additional residential units is a priority use within LB Camden. The proposals would not give rise to any additional impacts that have not already been assessed and considered acceptable by the Council.

As such, the proposed amendments are considered to accord with the relevant development plan policies and it is requested that the Council approve this application.

#### **Administration**

This application for planning permission is accompanied by the following information:

- Completed Planning Application Form with duly signed Certificates;
- Cover Letter (this letter) prepared by Montagu Evans;
- Existing and Proposed Application Drawings CH +MRP Architects;
- Design and Access Statement prepared by CH +MRP Architects;
- Waste Storage and Collection Report prepared by Vectos;
- Building Servicing Strategy prepared by Walker Mower; and
- CIL Form.

[REDACTED]

We trust that the information submitted with this application is sufficient for your purposes to enable validation. We would be grateful if LB Camden could confirm receipt of our planning application and validation by return. However, should any further clarification, information or assistance be required, [REDACTED]

[REDACTED]

Yours faithfully,

[REDACTED]

**Raoul Veevers**

**Partner**

MONTAGU EVANS LLP6