

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		06/05/2019	
		N/A / attached		<b>Consultation Expiry Date:</b>		27/04/2019	
<b>Officer</b>				<b>Application Number(s)</b>			
Sofie Fieldsend				2019/1304/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Flat 3rd Floor 252 Kilburn High Road London NW6 2BS				See draft decision notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Erection of rear extension at third floor							
<b>Recommendation(s):</b>		Refuse planning permission					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
<b>Summary of consultation responses:</b>		<p>A site notice was displayed on the 08/06/2018 and the consultation period expired on the 29/06/2018.</p> <p>No responses were received.</p>					

## Site Description

The application site relates to a pair of three storey semi-detached properties located on the North/Eastern side of Kilburn High Road. The ground floor of both properties are in A1 use and the remaining floors are in residential (C3) use. The property is not listed or located within a Conservation Area, but it is located within Kilburn Town Centre.

The site at 246-248 has been recently demolished and planning permission for the erection of a part-four, part-five storey residential building is currently pending decision subject to a legal agreement. The neighbouring site at No.254 has a gap which provides an access lane to a six storey mixed use building set back significantly from Kilburn High Road which was granted permission in 2016 but it noted that it has not yet been implemented.

## Relevant History

### 250 and 252 Kilburn High Road

**2018/1824/P** - Joint roof extension to No.250 and 252 involving raising the ridge height and 2x rear dormers. - **Granted 3/8/18**

**2017/6282/P** - Joint roof extension to No.250 and 252 involving raising the ridge height and 2x rear dormers. Third floor rear extension to number 252 – **Refused 18/01/2018**

Reasons for refusal:

- 1) The third floor rear extension by reason of loss of daylight and a sense of enclosure would result in a detrimental impact on the amenity of Flat 2, No.250 which is contrary to Policy A1 of the London Borough of Camden Local Plan 2017.
- 2) The proposed roof extension and the rear extension by reason of their excessive scale, bulk, height and detailed design fails to be subordinate to the existing dwellings and would cumulatively constitute disproportionate, discordant and incongruous additions to the existing buildings to the detriment of the character and appearance of the existing buildings, the street scene and the locality, contrary to policy D1 of the London Borough of Camden Local Plan 2017.

### 250 Kilburn High Road

**H3/3/4/4660** - The agreement to extend the premises (Change of use and extension to first floor) – **Refused 12/02/1968**

**CTP/H3/3/4/20559** - The change of use of the 2nd and 3rd floors to two self-contained units including works of conversion and the erection of a 3rd floor rear extension. **Granted 23/05/1975**

### 252 Kilburn High Road

None relevant

### Neighbouring sites

### 246-448 Kilburn High Road

2017/3206/P - Demolition of existing building on site and erection of two buildings for residential use, providing 27 new units (9 x one-bed, 13 x two-bed, 5 x three-bed). Building A (street block) to be part-four, part-five storeys in height and Building B (courtyard block) to be part-five, part-six storeys in height. Associated landscaping, cycle parking and plant room – Granted 24/4/2018

### **254 Kilburn High Road**

2015/2775/P - 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. Granted 22/12/2016

### **Relevant policies**

National Planning Policy Framework (2019)

London Plan (2016)

Draft London Plan (2017)

#### **Camden's Local Plan (2017)**

Policy A1 – Managing the impact of development

Policy D1 – Design

### **Supplementary Guidance :**

CPG Design (2019) Chapters

- 1 - Introduction
- 2 - Design excellence

CPG Altering and extending your home (2019). Chapters:

- 1 – Introduction
- 2 – Design excellence for houses and flats
- 3 - Extensions: rear and side

CPG Amenity (2018). Chapter:

- 3 - Daylight and Sunlight

CPG Transport (2019)

## **Assessment**

### **1.0 Proposal**

1.1 Planning permission is sought for a third floor rear extension which will be 'L' shaped. It will project 3.2m to the rear on the side adjoining No.250 and step in before project a further 1.8m to the rear (5m max depth). It will measure 3.9m wide and will be built up to the eaves with a flat floor. The proposed materials will match the existing red stock brick.

### **2.0 Assessment**

2.1 The main considerations in relation to this proposal are:

- Design and Appearance
- Impact on the amenity of adjoining occupiers
- Transport

### **3.0 Design and Appearance**

3.1 Policy D1 of Camden's Local Plan outlines that the Council will require all developments to be of the highest standard of design and will expect developments to consider character, setting, context and the form and scale of neighbouring buildings and the character and proportion of the existing building.

3.2 Camden Planning Guidance document CPG Altering and extending your home advises that extensions should be subordinate to the original building in terms of scale and proportion unless the specific circumstances of the site, such as the surrounding context, or the particular design of the property would warrant an exception to this approach. It states that extensions that are higher than one full storey below roof eaves/parapet level, or that rise above the general height of neighbouring projections and nearby extensions, will be strongly discouraged.

3.3 From a site visit it is noted that the adjoining property at No.250 has built a third floor rear extension. This was granted in 1975 under planning ref. CTP/H3/3/4/20559, however this permission is historic and planning policy has changed in the intervening years with specific guidance discouraging such extensions. This element appears to have been built more than four years ago and is immune from enforcement action. In terms of the proposed extension to No.252 with its siting less than one full storey below the eaves and its excessive depth will make the extension appear bulky and highly visible when viewed from the public realm and neighbouring properties along Kilburn High Road. Its siting, scale and design would therefore be contrary to policy.

3.4 Given the open nature of this side of No.252, the proposal would be highly visible from Kilburn High Road. It is considered that the proposal would appear bulky and represent a poor quality design.



(Refused scheme: 2017/6282/P)



(Current scheme)

3.5 Overall it is considered that the proposal by reason of its excessive scale, bulk, height and detailed design fails to be subordinate to the existing dwelling and would constitute a disproportionate, discordant and incongruous addition to the host property to the detriment of the character and appearance of the existing buildings, the street scene and the locality, contrary to policy D1 of the London Borough of Camden Local Plan 2017.

#### 4.0 Amenity

4.1 Local Plan Policy A1 seeks to ensure that the amenity of neighbours is protected including visual privacy, outlook, sunlight, daylight and overshadowing.

4.2 The proposed third floor extension will measure 3.2m to the rear on the side adjoining No.250 and step in before project a further 1.8m to the rear (5m max depth). It will measure 3.9m wide and will be built up to the eaves with a flat floor. The extension will be set away 1.9m from the shared boundary with No.250. The adjoining building at 250 is subdivided into three flats, with one flat on each of the three upper floors. To the rear of Flat 2 of No.250 on second floor is a bedroom served by a single window. It is noted that although this extension just meets the 45 degree on plan form test to this flat, however it would fail the 45 degree test on elevation by 3 degrees and in absence of a daylight and sunlight assessment, it is considered that the extension would be detrimental to the amenity of the occupiers of flat 2 of No.250. Also the kitchen of this flat located to the rear is only served by a set of balcony doors on the side elevation of the same floor. The extension would significantly fail the 25 degree test to this door by 45 degrees. In addition due to the limited outlook from this rear bedroom of Flat 2 and as this room does not have access to other windows, the excessive height and depth would result in a tunnelling effect and the extension would appear overbearing and would result in an unacceptable sense of enclosure and loss of daylight. It is therefore considered that this rear extension would have a detrimental impact on the amenity of Flat 2 of No.250 in terms of loss of daylight and a sense of enclosure.

4.3 One window is proposed on the North West elevation of No.252 facing onto No.256 Kilburn High Road, which will serve a bathroom. It will face onto the blank gable wall of No.256, this aspect is not considered to impact on the amenity of this property in terms of loss of privacy or overlooking.

4.4 The proposal will provide one additional bedroom and one bathroom, increasing it from a studio to a 1 bed flat. The current flat has a floorspace of 41sqm and meets the London plan minimum floor area for a studio. Although the extension would create additional floor space, the occupiers would not have access to any outdoor amenity space and the proposed third floor extension would result in loss of daylight to flat 2, 250 Kilburn High Road. It is therefore considered that this minor benefit of a larger unit does not outweigh the amenity harm to this property.

## **5.0 Transport**

5.1 A CMP would usually be sought for major developments, however there are many instances where smaller schemes can have very significant impacts, particularly within predominantly residential areas. It is noted that a number of large scale developments are proposed or have been approved in neighbouring sites consisting of residential and mixed-use schemes. Transport officers have been consulted and considered that that in the context of the site a CMP would not be needed, as the parking restrictions allow loading between 10am-4pm on the street.

5.2 As the proposal does not propose the creation of a new self-contained unit, a S106 agreement would not be required for car-free development and no cycle parking would be required.

## **6.0 Conclusion**

6.1 To conclude the proposed roof extension is contrary to the CPGs and policy D1 and A1 of Camden's Local Plan.

## **7.0 Recommendation**

7.1 Refuse planning permission.