

Henry, Kate

From: Henry, Kate
Sent: 08 May 2019 16:51
To: Matt Hill
Subject: 2019/1909/PRE – 332 West End Lane - pre-application advice

Dear Mr Hill,

Re: 2019/1909/PRE – 332 West End Lane, London, NW6 1LN – Change of use of 1st and 2nd floors from ancillary restaurant use (Class A3) to create either 2 or 3 self-contained flats (Class C3); erection of rear dormer

Thank you for submitting the above pre-application request with the required fee on 24/04/2019, and for meeting me on site on 01/05/2019. Please see the comments below:

Constraints

Fortune Green and West Hampstead Neighbourhood Plan
Finchley Road / West End Lane Neighbourhood Centre
Article 4 direction (A1 to A2)

Relevant planning history

None

Policy

National Planning Policy Framework (2019)

London Plan (2016)

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
A4 Noise and vibration
D1 Design
D2 Heritage
CC1 Climate change mitigation
CC2 Adapting to climate change
CC5 Waste
TC2 Camden's centres and other shopping areas
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T4 Sustainable movement of goods and materials

Camden Planning Guidance

CPG Altering and extending your home (2019)
CPG Design (2019)
CPG Developer contributions (2019)
CPG Interim Housing (2019 and CPG Housing (2006, updated 2019)
CPG Transport (2019)
CPG Amenity (2018)

Fortune Green and West Hampstead Neighbourhood Plan (2015)

Summary of proposal

Conversion of upper floor levels to create either 2 or 3 self-contained residential units

Option A

- Creation of 2x self-contained flats:
 - Studio flat (37sqm) at 1st floor
 - 2-bed flat (68sqm) at 2nd and 3rd floors
- Rear dormer window to create additional accommodation at 3rd floor level

Option B

- Creation of 3x self-contained flats
 - Studio flat (37sqm) at 1st floor
 - 1-bed flat (39sqm) at 2nd floor
 - 1-bed flat (31sqm) at 3rd floor
- Rear dormer window and upwards extension of rear outrigger to create additional living space at 3rd floor level

Assessment

The principle of development

- Policy G1 of the [Camden Local Plan](#) notes that the Council will support development that makes the best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site.
- At the site visit, it was apparent that the upper floors of the host building (1st and 2nd floors) were previously used in association with the restaurant use at lower and upper ground floor levels. However, a fire has occurred at the building and the whole building suffers from smoke damage and is currently vacant.
- Policy H1 of the Local Plan regards housing as the priority land-use of the Local Plan; however, the pre-text to the policy notes that the Council will attach equal weight to the quality and quantity of new homes proposed in the borough and will not sacrifice housing quality in order to maximise overall housing supply.
- Policy H6 relates to housing choice and mix. The policy notes that all self-contained homes are expected to meet the nationally described space standard.
- Policy H7 seeks to ensure that all housing development, including conversion of existing homes and non-residential properties, contributes to meeting the priorities set out in the Dwelling Size Priorities Table; and includes a mix of large (3 or more bedrooms) and small homes.
- The [Fortune Green and West Hampstead Neighbourhood Plan](#) (FGWHNP) also requires the provision of a range of different unit sizes in residential development, including 3 and 4 bed homes suitable for families, where appropriate.
- The application site is within a designated Neighbourhood Centre (Finchley Road / West End Lane,) wherein the Council will seek to retain convenience shopping for local residents and where it will ensure that development does not harm the function, character or success of that centre (Policy TC2). It is recognised that the proposed works would not affect the lower and upper ground floor levels; however, I note that the kitchen for the restaurant is currently located on the 1st floor and therefore you are advised to ensure that a restaurant could still continue to operate successfully at the premises with a smaller kitchen located on one of the lower floors.
- The principle of development is considered to be acceptable, subject to the detailed considerations below.

Affordable housing contribution

- Policy H4 seeks to maximise the supply of affordable housing in the borough and expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floor space of 100sqm (GIA) or more.
- Option A would provide 2 additional homes and would involve a total addition to residential floor space of 105sqm. Option B would provide 3 additional homes and would involve a total addition to residential floor space of 107sqm. As such, either option would trigger the requirement for a contribution towards affordable housing.
- Targets are based on an assessment of development capacity whereby 100sqm of housing floor space is generally considered to create capacity for one home and a sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% of for each home added to capacity. In this case, the target would be 2% for either Option A or B.
- Where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu. Following adoption of the Local Plan in 2017, the Council has commissioned research to generate new standard payment-in-lieu rates based on current development values and costs; however, in the interim, the Council will continue to use the existing figures based on 2010 research (£2,650 per sqm GEA). On this basis, the contribution calculations would be as follows:

$$[\text{Additional floor space (GEA)} \times \text{£2,650}] \times 2\%$$

- In advance of submitting a formal application you are advised to check whether the CPG has been updated with revised figures ([Link to Camden Planning Guidance](#)).

Quality of residential accommodation

- Policy D1 of the Local Plan seeks to secure high quality design in development. In relation to housing, part (n) of the policy requires development to provide a high standard of accommodation.
- The sub-text to Policy D1 notes that all residential developments are to be designed and built to create high quality homes. The Council will seek to ensure that residential development (both new build and change of use) is self-contained with its own secure private entrance; has good ceiling heights and room sizes; is dual aspect except in exceptional circumstances; has good natural light and ventilation; has good insulation from noise and vibration; has a permanent partition between eating and sleeping areas (studio flats are acceptable where they provide adequate space to separate activities); incorporates adequate storage space; incorporates outdoor amenity space including balconies or terraces; and is accessible and adaptable for a range of occupiers. The sub-text also notes that new dwellings and conversions to residential use will be expected to meet the government’s nationally described space standard. The Council will also require development to adhere to the Mayor’s Housing Supplementary Planning Guidance.
- The two options would provide the following:

Option A			
Unit	Dwelling type	Required standard (sqm)	Floor space (sqm)
Studio flat at 1 st floor	1 storey studio	37	37
2-bed flat at 2 nd and 3 rd floors	2 storey 2-bed-3-person 2 storey 2-bed-4-person *	70 79	68

* The scale bar on the submitted plans doesn’t appear to be correct and therefore I haven’t been able to properly measure the size of the rooms

Option B

Unit	Dwelling type	Required standard (sqm)	Floor space (sqm)
Studio flat at 1 st floor	1 storey studio	37	37
1-bed flat at 2 nd floor	1 storey 1-bed-1-person	37	39
1-bed flat at 3 rd floor	1 storey 1-bed-1-person	37	31

- I have highlighted those flats which fail to meet the required space standards. The sub-text to Policy D1 clearly states that both conversions and new builds will be expected to meet the government's nationally described space standards and therefore we would be unlikely to support the above proposals.
- The fact that the proposed units would be self-contained with their own secure entrances and all would be dual-aspect is welcomed.
- Furthermore, the floor to ceiling heights at 1st and 2nd floor levels are likely to be considered acceptable; however, without seeing a section drawing, it is not possible to comment properly on the proposed accommodation at 3rd floor level. The nationally described standard requires that 75% of the gross internal area of a dwelling has a minimum floor to ceiling height of 2.3 metres.
- Having now looked at the plans in greater detail, I have some concerns about the proposed layouts. In Option A, the main living area in the studio flat would be reasonably sized and would have a good outlook; however, the proposed kitchen area and shower room are both very narrow spaces which are unlikely to be pleasant spaces for future occupiers. Whilst the 2-bed flat has a better layout, it fails to meet the nationally described space standards.
- In Option B, I have the same concerns about the studio flat at level 1. I also note that, although you have described the flats at 2nd and 3rd floor levels as studios, the bedrooms are in fact separated and must therefore meet the standards for one bedroom flats. At 2nd floor level, the bathroom looks to be very small and narrow. At 3rd floor level, the kitchen is very narrow and the main living/dining area is within the sloping roof, which is unlikely to provide a good standard of accommodation for future occupiers, particularly as this unit also fails to meet the space standards.
- I do not consider that either of the proposed options would provide a high standard of accommodation for future occupiers, contrary to the aims of Policy D1. You are therefore advised against submitting an application for either Option A or B. Instead, you might like to consider the creation of a single unit across levels 1 and 2 of the host building that would remain in compliance with the national minimum standards.

Design considerations

- Policy D1 of the Local Plan seeks to secure high quality design which respects local context and character and which comprises details and materials that are of high quality and complement the local character.
- The FGWHNP also seeks development of a high quality of design.
- [CPG Altering and extending your home](#) provides guidance on dormer windows. It notes that roof dormers should be designed sensitively so they do not dominate the roof plane. This means they should sit within the roof slope so that the overall structure of the existing roof form is maintained. The dormer itself should be subservient to the roof slope and they should be sufficiently below the ridge of the roof in order to avoid projecting into the roofline when viewed from a distance. Usually a 500mm gap is required between the dormer and the ridge or hip as well as from the party wall and eaves to maintain an adequate separation.
- The proposed dormer window in both options fails to accord with the CPG guidance and would dominate the roof slope of the property. It would not appear as a subordinate addition and would disrupt the roofscape of the host terrace, therefore the proposal would not be supported. If you do wish to erect a dormer window at the property it needs to be significantly smaller in size.
- The CPG also provides advice on rear extensions. It specifically notes 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. This is because such

extensions no longer appear subordinate to the building. On this basis, the proposal to extend the existing outrigger upwards (Option B) would not be supported.

- On site we discussed the possibility of providing a roof terrace on the flat roof of the existing outrigger (which would be accessed at roof level). In principle (and subject to providing an acceptable roof extension from which to access the terrace), this would be likely to be considered acceptable, subject to measures to prevent direct overlooking into neighbouring properties (e.g. screens or a balustrade set in from the edge of the parapet).

Impact on neighbouring and nearby properties

- Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; noise and vibration; odour, fumes and dust; and impacts of the construction phase, including the use of Construction Management Plans.
- The main properties that are likely to be affected by the proposals are the neighbouring properties and the property to the rear, No. 76 Crediton Hill.
- It is not considered that the proposals would cause undue harm by way of loss of privacy or outlook. The level of overlooking would be no worse than the existing situation. As noted above, if you choose to create a roof terrace above the existing outrigger, you would need to incorporate measures to prevent direct overlooking to neighbouring properties.
- It is not considered that the proposals would cause undue harm by way of loss of sunlight/daylight or overshadowing. This is due to the orientation of the building and the nature of the proposals.
- Any application to convert the upper floors of the building to residential use would need to include details of noise mitigation measures to prevent noise transfer from the use of the lower floors of the building as a restaurant, traffic noise from nearby Finchley Road as well as between floors separating different flats. A noise impact assessment should be provided.
- Similarly, details of measures to prevent harmful impacts from odours and fumes should be provided if a formal application is submitted. It will be vital to demonstrate that the replaced extract flue to the GF restaurant can be provided in a manner which does not harm the amenities of future residents.
- It is likely that there would be some disruption during the construction period, especially if the host building is being extended. Measures to reduce the impact of construction works should be outlined in a draft Construction Management Plan (CMP), which may be secured by section 106 legal agreement if an application was approved. [CPG Transport](#) includes a link to the Council's CMP Pro Forma.

Transport

- Policy T1 of the Local Plan promotes sustainable transport by prioritising walking, cycling and public transport in the borough. The policy seeks to ensure that development provides for accessible, secure cycle parking facilities exceeding minimum standards outlined within the London Plan and the Council's design guidance. The FGWHNP also requires the provision of appropriate cycle storage in residential development.
- The London Plan requires 1x long-stay space per studio or 1-bed unit and 2x long-stay spaces for all other types of dwelling. As discussed on site, it would be possible to provide this in the rear yard of the property. Further guidance on cycle storage can be found in [CPG Transport](#). It notes that cycle parking should be provided off-street, within the boundary of the site and close to the site entrance. Cycle parking needs to be accessible (in that everyone that uses a bike can easily store and remove a bike from the cycle parking) and secure (in that both wheels and the frame can easily be locked to the stand).
- Policy T2 relates to parking and car-free development. The policy notes that the Council will limit the availability of parking and require all new developments in the borough to be car-free. If an application to convert the upper floors of the building to residential use was considered to be acceptable, a section 106 legal agreement would secure the new dwelling(s) as car-free (i.e. occupiers are not issued with on-street parking permits).
- Policy T4 promotes the sustainable movement of goods and materials and seeks to minimise the movement of goods and materials by road. As noted above, a draft Construction Management Plan should be submitted with any formal application which addresses the removal of demolition debris

from the site (if appropriate) and the delivery of construction equipment and materials. This may be secured by section 106 legal agreement if an application was approved.

Air Quality

- Policy CC4 of the Local Plan seeks to ensure that the impact of development on air quality is mitigated and to ensure that exposure to poor air quality is reduced in the borough. The policy notes that the Council will take into account the impact of air quality when assessing development proposals, through the consideration of both the exposure of occupants to air pollution and the effect of the development on air quality. Air Quality Assessments (AQAs) are required where development is likely to expose residents to high levels of air pollution.
- As the application site is within close proximity to Finchley Road, which has very poor air quality, an AQA would need to be provided with any formal planning application and the development would need to be designed to mitigate against any identified impact.

Sustainability and water

- Policy CC1 requires all development to minimise the effects of climate change and encourages all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. Policy CC2 requires all development to be resilient to climate change. Measures to address the requirements of Policies CC1 and CC2 should be outlined in the Design & Access Statement, or in a separate Sustainability Statement.
- Policy CC3 seeks to ensure that development does not increase flood risk, and reduces the risk of flooding where possible. If planning permission were granted for the creation of a new dwelling, it would be likely to be subject to a condition to require the submission of details of water efficiency measures. As such, you are advised to consider such measures at the outset.

Validation requirements

If you chose to submit a formal planning application, which I would advise against, you should provide the following:

- Application form
- Application fee (£462 per new dwelling)
- Site Location Plan (typically at 1:1250 or 1:2500) with the application site outlined in red
- Existing and proposed floor plans (including roof plans)
- Existing and proposed elevations (@1:100 / 50)
- Existing and proposed sections (@1:100 / 50)
- Design & Access Statement
- Air quality assessment
- Sustainability statement
- Noise, vibration and ventilation assessment

Conclusion

In my personal opinion, whilst the principle of converting the upper floors of the host building to residential use would be considered acceptable, the Council would be highly unlikely to support the current proposals (Option A or B) due to the fact the proposed residential units would fail to comply with the nationally described space standards, and also due to the poor design of the proposed rear dormer window (Options A and B) and the proposed upwards extension of the rear outrigger (Option B). I would advise you to consider instead the creation of 1 new residential unit at 1st and 2nd floor levels.

On site you asked about the procedure and whether it would be worth applying for prior approval instead of planning permission. Having had a proper look at the legislation, there is no means of changing from Class A3 to Class C3 without submitting a formal planning application.

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

You can apply for planning permission and listed building consent through the [Planning Portal](#) website.

Thank you for using Camden's pre-application advice service. If there is anything else I can help with, please do not hesitate to ask.

Kind regards

Kate Henry
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Regeneration and Planning
London Borough of Camden
(Tue, Wed, Thu, Fri)

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