

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>16/01/2019</b>	
		N/A		<b>Consultation Expiry Date:</b>		<b>24/01/2019</b>	
<b>Officer</b>				<b>Application Numbers</b>			
Samir Benmbarek				2018/5812/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
89 Messina Avenue London NW6 4LG				Refer to 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>							
Conversion of single family dwelling house to form 1x 3 bedroom and 2 x 1 bedroom self-contained flats; and the erection of single storey side and rear extension.							
<b>Recommendation:</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. of responses	00	No. of objections	00
						No. of comments	01
<b>Summary of consultation responses:</b>		<p>Site notices were displayed in close proximity to the site from 31/12/2018 (expiring on 24/01/2019).</p> <p>1x comment has been received from the following addresses:</p> <ul style="list-style-type: none"> <li>87 Messina Avenue</li> </ul> <p>Their comments are as summarised below:</p> <ol style="list-style-type: none"> <li>Concerns of loss of part of the garden and side return which may set a precedent and impact on green space and amenity.</li> </ol> <p>Officer's Comments</p> <ol style="list-style-type: none"> <li>Please refer to section 4.0 of this report.</li> </ol>					

## Site Description

The application related to a three-storey dwelling house located on the northern side of Messina Avenue. The site is not located within a conservation area, nor is it a listed building.

The site is in use as residential (C3) as a single family dwellinghouse. The use and character of Messina Avenue is predominately residential containing either single dwelling houses or previous houses converted into self-contained flats. The site is equidistant between two commercial centres; Kilburn High Road and West End Lane.

## Relevant History

### Application site No. 89 Messina Avenue

No planning application history.

### Adjoining neighbour #1 No. 87 Messina Avenue

No planning application history.

### Adjoining neighbour #2 No. 91 Messina Avenue

**8803985-** Change of use and works of conversion to form two self-contained units as shown on drawing nos. CR161 CR162D revised on 27th July 1988. **Granted 22/09/1988.**

*Recent history of rear/side extensions along Messina Avenue:*

### No. 105 Messina Avenue

(ref.2013/0352/P) Permission was granted on the 15/03/2013. Prior to approval, this scheme had been revised to reduce the scale of extensions to not project beyond closet wing and remain visually subordinate to the main house.

### No. 93 Messina Avenue

2016/0332/P- Permission was granted on the 17/03/2016. These extensions did not project beyond closet wing and remained visually subordinate to the main house.

### No. 64 Messina Avenue

2016/5795/P- Permission was granted on the 19/12/2016. These extensions were considered to remain subordinate to the main dwelling.

## Relevant policies

### **National Planning Policy Framework 2019**

### **The London Plan 2016**

### **Camden Local Plan 2017**

G1 (Delivery and location of growth)  
H1 (Maximising housing supply)  
H3 (Protecting existing homes)  
H4 (Maximising the supply of affordable housing)  
H7 (Large and small homes)  
C6 (Access for all)  
A1 (Managing the impact of development)  
D1 (Design)  
CC2 (Adapting to climate change)  
CC5 (Waste)  
T1 (Prioritising walking, cycling and public transport)

T2 (Parking and car-free development)  
T4 (Sustainable movement of goods and materials)  
DM1 (Delivery and monitoring)

### **Camden Supplementary Planning Guidance**

Altering and extending your home (March 2019)  
Access for all (March 2019)  
Amenity (March 2018)  
Design (March 2019)  
Developer Contributions (March 2019)  
Interim Housing (March 2019)  
Transport (March 2019)  
Water and flooding (March 2019)

## **Assessment**

### **1. Proposal**

- 1.1 Planning permission is sought for the conversion of an existing five bedroom dwelling house into self-contained flats. The new dwelling mix would consist of 1x 3 bedroom flat at ground floor level and 2x 1 bedroom flats at first and second floor levels.
- 1.2 In association with the conversion, planning permission is also sought for the erection of a single storey rear and side extension at ground floor level. From the rear elevation of the closet wing, the rear extension would extend outwards by 0.9m and would be at a height of 3.3m. The proposed side extension would be developed along the boundary wall with No. 91 at a depth of 9.6m. Along the boundary, it would have a height of 2.4m rising up of a maximum terminating height of 3.3m where it adjoins the existing rear projection.
- 1.3 The side and rear extension would combine to form a “wrap-around” extension at the rear. This would result in the width of the extension being 5.0m, which is the entire width of the site plot. The extension would be constructed of matching brickwork and would feature an aluminium framed sliding door. ~~Permission is also sought to replace the existing uPVC windows with uPVC double glazed windows.~~
- 1.4 The main issues for consideration are:
- Land use and dwelling mix;
  - Affordable housing;
  - Design
  - Standard of the proposed living accommodation;
  - Neighbour amenity;
  - Transport impact;

### **2. Land Use and dwelling mix**

- 2.1 The existing use of the site is residential (use C3) and the proposed development would introduce additional housing and not any new uses to the site. The proposal would still provide

a C3 use.

2.2 Self-contained housing is the priority land-use of the Local Plan. In particular, policy H1 aims to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing. Furthermore, policy H3 of the Local Plan states that the Council will resist developments that results in a net loss of residential floorspace, and usually, resist developments that results in the loss of more than one existing home. As the proposed development involves the net addition of 2x homes, it is considered that the proposed development in land use terms is acceptable.

2.3 Policy H7 of the Local Plan seeks to secure a range of home of different sizes in all residential development and will seek to ensure that all residential development contributes to meeting the priorities as set out in the Dwelling Sizes Priority Table. The Priority Table indicated that housing with 2 or 3 bedrooms are the highest priority unit sizes and one bed or larger units (4+) are of lower priority.

2.4 The proposed development would comprise of 1x 3 bedroom unit and 2x 1 bedroom units which would result in 33% high priority dwellings. Although the majority of the proposed dwellings would not be of high priority, in this context the proposed dwelling mix is considered appropriate as there is still a family sized unit remaining as a result of the development and all 3x dwellings are considered to be of a sufficient standard (further assessment in section 5 of this report). As such, the proposal complies with the requirements of policy H7.

### **3. Affordable Housing**

3.1 Policy H4 of the Local Plan expects a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to the residential floorspace of 100sqm or more. This is based on the assessment where 100sqm of floorspace is considered to provide capacity for one home. In developments that provide less than 10 units, affordable housing contributions can take the form of a payment in lieu (PIL).

3.2 As the proposal is a conversion of an existing residential unit with an increase of floorspace of approximately 30sqm, an affordable housing contribution is not required in this instance.

### **4. Design**

4.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should consider the character, setting, context and the form and scale of the neighbouring buildings, and the quality of materials to be used.

4.2 The existing context of Messina Avenue is of three-storey terraced dwelling houses with a two-storey rear closet wing built in the late 19<sup>th</sup> C. Along the rear elevation of the row of buildings in which the applicant building forms part, there are examples of side and/or rear extensions that have been developed at a single storey. Notwithstanding, the area still retains a clear character and its original pattern of development remains legible.

#### Scale, bulk and form

4.3 At some point, the built form at ground floor level has been developed at the rear as the existing depth at ground floor level extends a further 3.1m beyond the original rear elevation of the closet wing. There is no planning history or record of this development though it appears to have been in situ for many years.

4.4 It is considered that the wrap around extension is considered as not subordinate or secondary to the building being extended. The proposed extension (with the existing rear extension) would result in the footprint of the building being increased from 69.5sqm to 101.5sqm which is a 68.5% increase. This large increase in scale is considered to overwhelm the building at the rear with additional bulk and the proposed terminating depth of the extension would encroach

further into the rear garden.

- 4.5 There would be little remaining garden space as a result of the development, with the cumulative extensions occupying 66% of the original garden area of the property. This relationship between the house and its garden would be considered excessive and detrimental to its character and the established character of the street. and as such, the extensions are considered as overdevelopment within the rear garden as the remaining garden space would be 33% of the existing.
- 4.6 Owing to the existing rear extension, The application building already has the longest depth at ground floor level within the row of building it forms. The proposed extensions would surpasses the rear terminating line of No. 87 Messina Avenue by 1.0m. To extend the depth further as a result of the proposal is considered to alter and exacerbate the rear building lines of the row even further. The difference in the rear building lines between No 89 and its neighbours would be clearly seen ~~when~~ in multiple private views from neighbouring upstairs windows that surround the rear garden of the application site.
- 4.7 The proposed rear and side extension would be one storey in height that is considered acceptable in regards to height and the proposed choice of materials is considered appropriate. However, this does not mitigate or overcome the concerns on the large footprint of the proposed extension.
- 4.8 Overall, due to the proposed depth of the rear extension and the cumulative impact of all extensions proposed, the proposal is considered to overwhelm the host dwelling and so be unacceptable on design grounds and is therefore contrary to policy D1 of the Camden Local Plan.

## 5. Occupier Amenity

- 5.1 All dwellings would have a regular layout with reasonably sized rooms and good access to daylight and natural ventilation. All dwellings would also be dual aspect. All dwellings would meet the London Plan space standards for bedrooms and overall floorspace. The ground floor unit would have access to rear amenity space. Refuse and recycling would be provided within the front garden in the same manner as the existing situation for the single family dwelling house.

Dwelling	Bedroom/Persons	Floorspace	London Plan Standard
1	3-bed/4 persons	86.3sqm	84sqm
2	1-bed/2 persons	53.2sqm	50sqm
3	1-bed/1 persons	39sqm	39sqm

- 5.2 In terms of stacking, there would be some concern with the relationship between the master bedroom of flat one and the primary living space of flat 2. However, this concern could reasonably be addressed by means of a condition requiring details of sound insulation and therefore would not form a reason for refusal.

## 6. Neighbour Amenity

- 6.1 Policy A1 of the Camden Local Plan seeks to ensure that development does not cause adverse amenity impacts upon neighbours. This is in regards to sunlight, daylight, privacy and overlooking and in some instances noise, vibration and odour.
- 6.2 The site is neighboured by a number of buildings in residential use that need to be considered when assessing impacts on amenity. In particular the neighbouring occupiers of concern are Nos. 87 and 89 Messina Avenue located on either side of the site.
- 6.3 It is considered that the extensions would not impact the amenity of the occupiers to the rear of

the site at Nos. 23, 25 and 27 Cotleigh Road, nor opposite at Nos. 68, 70 and 72 Messina Avenue.

6.4 Furthermore, it is considered that the internal residential conversion and the window replacements would not impact upon adjoining residential amenity.

#### Outlook and sense of enclosure

6.5 It is considered that the proposed rear extension would not adversely impact upon the outlook from the rear of No. 87 Messina Avenue (particularly at ground floor level) as the extension would be developed 1.0m further on.

6.6 It is also considered that the proposed side extension would not cause adverse harm to the neighbouring occupiers at No. 91 Messina Avenue. This is as a result its modest height of 2.4m along the boundary and pitched roof form. The combination of these elements provide some relief in regards to outlook in comparison to a sheer wall built form along shared boundary and would not lead to a sense of enclosure towards the occupiers of No. 91 Messina Avenue.

#### Daylight/Sunlight

6.7 Due to the rear gardens of the applicant site, and Nos. 87 and 91 Messina Avenue facing north and the modest height of the extensions, it is considered that the proposed rear extensions would not impact upon the levels of daylight and sunlight to neighbouring occupiers.

#### Overlooking/Privacy

6.8 The proposed extension would not provide any new or adverse levels of overlooking towards neighbouring occupiers due to its location at ground floor level. Were the works otherwise acceptable, a condition could have been applied to ensure that the area of flat roof of the rear extension would not be used as a terrace to protect neighbouring privacy.

### **7. Transport Impact**

#### Car-free development

7.1 The nearest stations are West Hampstead (Jubilee Line, London Overground and Thameslink), Kilburn (Jubilee Line), Brondesbury (London Overground) and Kilburn High Road (London Overground) stations, whilst the nearest bus stops are located on West End Lane and Kilburn High Road. The site also has a PTAL score of 5. The site is located within the Kilburn controlled parking zone (CA-Q/R which operates from Monday to Friday 08:30-18:30).

7.2 Policy T2 seeks to ensure car-free development across the borough. As such, the proposed development would be subject to a legal agreement to secure the proposed dwellings as car-free. This would ensure that future occupants of the development are aware that they are not entitled to on-street parking permits. In the absence of a legal agreement to secure the residential units as car-free housing, the proposal cannot be supported as this would unacceptably contribute to issues of parking and traffic congestion and air quality in the surrounding area and would fail to promote the use of sustainable modes of transport, contrary to policy T2 of the Camden Local Plan.

#### Cycle parking

7.3 The proposed scheme should provide 4x cycle parking spaces in accordance with the London Plan and CPG Transport. A cycle store has been provided within the rear garden that would be for private use by the occupiers of the ground floor flat. Given the context of the site and its constraints, the lack of provision of cycle parking facilities for the upstairs units in this instance is considered acceptable given the good PTAL level, although it is encouraged to provide such facilities where possible.

## **8. Water Use**

8.1 All new build or converted dwellings are required to achieve 110L per person, per day (including 5L of water for external use). This would have been secured by condition should the works have otherwise been considered acceptable.

## **9. Recommendation**

Refuse planning permission.