

Rolfe Judd

Planning

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On behalf of Helenium Holdings Limited

34A-36 Kilburn High Road

Planning Statement

RJP: P6770

Revision B – September 2019

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Contents

1.0	Introduction	1
1.1	Summary	1
1.2	Planning Statement	1
1.3	Supporting Application Documents	2
2.0	The Application Site and Surrounding Area	3
2.1	Site Description & Location	3
2.2	Surrounding Area	3
2.3	Relevant Planning History	3
3.0	The Proposal	5
4.0	Relevant Planning Policies	5
4.1	Government Guidance	5
4.2	The National Planning Policy Framework (NPPF) 2018	6
4.3	The London Plan	7
4.4	Draft London Plan	7
4.5	Camden Local Plan (2017)	7
5.0	Planning Considerations	9
5.1	Principle of additional storey	9
5.2	Design Quality	9
5.3	Residential Quality	10
5.4	Residential Amenity	11
5.5	Affordable Housing	12
5.6	Sustainability	12
5.7	Transport and Servicing	13
5.8	Access	14
5.9	CIL and S106	15
6.0	Conclusion	16

Appendices

Appendix 1 – Appeal Decision dated 27 July – reference APP/X5210/W/14/3001424

Appendix 2 – Approval of Details dated 2 August 2018 – LB Camden reference 2018/1833/P

Appendix 3 – Approval of Details dated 23 July 2018 – LB Camden reference 2018/2281/P

Appendix 4 – Payment in lieu affordable housing contribution

1.0 Introduction

1.1 Summary

- 1.1.1 This planning statement has been prepared by Rolfe Judd Planning on behalf of the Applicant – Helenium Holdings Limited – in support of a planning application for the erection of an additional storey to create five self-contained residential units at 34A-36 Kilburn High Road.
- 1.1.2 The application is a replica of the permission granted on appeal on 27 July 2015 with the exception of the cycle parking which has been increased from five to 11 spaces in accordance with current London Plan policy.
- 1.1.3 It is the Applicant’s intention to enter into a section 106 agreement to secure the following obligations:
- Rescind residents’ right to obtain parking permits
 - Secure a construction management plan
 - Make a financial contribution towards affordable housing in the Borough.
- 1.1.4 This is in accordance with the explicit reasoning of the Inspector in the July 2015 appeal decision letter.
- 1.1.5 The result of the very minor changes is a policy-compliant scheme which is car-free and which makes a contribution to affordable housing in the borough.

1.2 Planning Statement

The purpose of this statement is to examine the planning issues raised by the current development proposals for the application site. In particular, this statement identifies and describes the key opportunities presented by the proposed use of a flat roof area that currently makes no particular contribution to the streetscape.

- 1.2.1 The statement also provides an analysis of the relevant planning policy framework at national, strategic and local levels. As such, our planning statement is structured as follows:

Section 1: Introduction

Section 2: The Application Site and Surrounding Area – sets the context the current proposal and provides a detailed description of the application site and its previous uses;

Section 3: The Proposal – describes the proposed development;

Section 4: Housing Policy Context – summarises the planning policy relevant to this proposal at national, strategic and local levels;

Section 5: Planning Considerations – reviews the proposal in terms of the relevant policy context and other material considerations; and

Section 6: Conclusion

1.3 Supporting Application Documents

1.3.1 This planning statement should be read in conjunction with the following additional documents, which accompany the application:

- Planning Drawings – prepared by Rodic Davidson Architects
- Design & Access Statement – prepared by Rolfe Judd Planning
- Sustainability Statement – prepared by Eight Associates
- Energy Assessment – prepared by Eight Associates
- Air-Quality Assessment – prepared by Eight Associates
- Water Efficiency Statement – prepared by Eight Associates
- Cladding Materials Specification – prepared by Hone Studio
- CIL Form 0 – prepared by Rolfe Judd Planning

2.0 The Application Site and Surrounding Area

2.1 Site Description & Location

- 2.1.1 The application building is a five storey contemporary building at the corner of Kilburn High Road and Springfield Lane. It has largely flat unarticulated elevations with terracotta cladding and simple fenestration. The façade is expressed within an exposed steel girder frame which projects above flat-roof in an exposed manner.
- 2.1.2 The ground floor is occupied by Tesco Express supermarket with the basement (accessed via a ground floor entrance and staircase on Springfield Lane) in use as a commercial gym. The upper four storeys are in use as an apart-hotel.
- 2.1.3 The area of roof subject to the planning application is relatively clear area of flat roof with a modern EPDM roof covering. The roof has a lift overrun and edge/fall protection provided by the external steel frame of the building.

2.2 Surrounding Area

- 2.2.1 Building heights on Kilburn High Road diminish to part two and part three storeys to the north of the site and increase to 6-8 storeys in the other direction beyond the appeal site. There is a mixture of old and new buildings in the area but they are closely packed in alongside one another interspersed by some roads, such as Springfield Lane. There is a gradual downward slope in the ground levels southwards past the appeal building along Kilburn High Road.

2.3 Relevant Planning History

- 2.3.1 The existing building was built in 2006/7, following the grant of permission on 12 April 2005 (PWX0302236/P) for: *“Erection of a new 5-storey plus basement building comprising a basement Class D2 health club/snooker hall, ground floor Class A1 retail unit, and 1st to 4th floors “Sui Generis” hostel for homeless people (in the form of 40 self-contained units with communal facilities).”*
- 2.3.2 Following a deviation from the approved plans during the course of construction, permission was granted retrospectively on 20 December 2006 (2006/3489/P) for: *“Retention of a new 5-storey plus basement building, comprising a basement Class D2 health club/snooker hall, ground floor Class A1 retail unit, 1st -3rd floors aparthotel (Class C1) comprising 38 suites, and 4th floor residential units (Class C3) comprising 11x 1 bed and 1x 2 bed self-contained flats, as a variation to planning permission granted on 12 April 2005 (PWX0302236) for erection of a new 5-storey plus basement building comprising a basement Class D2 health club/snooker hall, ground floor Class A1 retail unit, and 1st to 4th floors Sui Generis hostel for homeless people (in the form of 40 self-contained units with communal facilities).”*

- 2.3.3 A Certificate of Lawfulness for an Existing Development was granted on 09 May 2008 (2008/1336/P) for:
“Internal alterations to facilitate an increase in the number of suites (from 38 to 73) within the existing hotel (Class C1) on first, second and third floor level. The works were not considered to constitute development falling within the statutory definitions contained in Section 55 of the Act.
- 2.3.4 The most recent permission was granted on appeal for the construction of an additional storey to provide five additional residential units. This was granted on 27 July 2015 under appeal reference APP/X5210/W/14/3001424 (LB Camden reference 2014/2786/P). This permission has not been implemented, but the pre-commencement conditions have been discharged.
- 2.3.5 The appeal decision is appended to this Statement as Appendix 1.

3.0 The Proposal

3.1.1 Permission is sought to erect an additional storey on the roof of 34A-36 Kilburn High Road to create five self-contained residential units of the following mix and unit sizes.

Apartment No.	Bedrooms	Area (GIA)
1	1b 2p	53.1
2	2b 3p	61.4
3	2b 4p	74.4
4	2b 3p	65.8
5	2b 4p	79.1

3.1.2 As with the 2015 permission, the new storey will be set back from the parapet on the Kilburn High Road and Springfield Lane elevations, appearing as a recessive terminating storey marking the corner of the street.

3.1.3 In terms of the principle of the development and its detailed design, the new application is exactly the same as the 2015 scheme considered by the Planning Inspector. There have been no particular changes in the immediate context of the application site that would justify departing from the principles established in the appeal decision.

4.0 Relevant Planning Policies

4.1 Government Guidance

4.1.1 The legal framework for determining planning applications is set out in section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. These state that a local planning authority must have regard to the provisions of the development plan and other relevant material considerations when considering an application for planning permission; and that determination of the application must be in accordance with the development plan taking into account all other material considerations.

4.1.2 The proposed development has been developed in accordance with the relevant national, regional and local planning policy. This section sets out the relevant adopted and emerging planning policy framework, against which the proposals are considered in Section 5 of this Planning Statement.

4.1.3 The relevant adopted development plan for this site comprises the London Borough of Camden's Local Plan (2017), the London Plan (2016) and certain policies of the Draft London Plan (2017).

4.1.4 In considering the redevelopment proposals, other relevant documents will form material considerations in the determination of the planning application including the new National Planning Policy Framework (NPPF) the Council's Supplementary Planning Documents.

4.2 The National Planning Policy Framework (NPPF) 2018

4.2.1 The Government published the revised National Planning Policy Framework on 24 July 2018. The scheme has been therefore assessed against National Guidance in the form of the National Planning Policy Framework which was adopted in July 2018. At the heart of the new NPPF remains the presumption in favour of sustainable development which should be seen as “a golden thread running through both plan making and decision making”.

4.2.2 The NPPF recognises that there are three overarching objectives to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles, which are mutually dependent and should not be undertaken in isolation (para 8):

- An Economic Role - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- A Social Role - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- An Environmental Role - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.2.3 The NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as peoples quality of life, including:

- Making it easier for jobs to be created in cities towns and villages;
- Moving from a net loss of bio-diversity to achieving net gains for nature;
- Replacing poor design with better design;
- Improving the conditions in which people live, work, travel and take leisure; and
- Widening the choice of high quality homes.

4.2.4 Paragraph 59 of the NPPF underlines the importance of housing delivery in England, affirming its political status as one of the Government's – and the country's – most pressing social issues. Paragraph 59 signals the Government's intent to boost the supply of homes, placing a clear expectation on Council's that they will not unnecessarily inhibit the supply of land for housing or place onerous barriers to prevent planning permissions being granted.

4.2.5 Chapter 11 of the NPPF places an expectation on decision makers to look pragmatically at buildings that are underdeveloped or underutilised. Paragraph 118(d) states: “In particular [LPAs] should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene.”

4.3 The London Plan

4.3.1 The London Plan (consolidated with amendments in 2016) is the strategic development plan for London. All London boroughs are required to adopt local development documents that are in general conformity with the London Plan.

4.3.2 Policy 3.3 seeks to boost housing supply across London, through a number of measures including using existing sites more intensively and by looking at development in town centres which have good public transport accessibility.

4.4 Draft London Plan

4.4.1 The Draft London Plan was issued for consultation in December 2017. The current 2016 Plan is the adopted Development Plan. However the Draft London Plan is a material consideration in planning decisions albeit currently with very limited weight. The plan gains more weight as it moves through the process to adoption; however the weight given to it is a matter for the decision maker. At this stage, the first round of consultation for the draft London Plan 2017 is still ongoing. Accordingly very minimal weight should be afforded to the policies contained within this draft plan.

4.5 Camden Local Plan (2017)

4.5.1 The Local Plan was adopted by the Council on 3 July 2017 and has replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions and future development in the borough.

4.5.2 The relevant policies for this proposal are as follows:

- H1 – Maximising housing supply
- H4 – Maximising the supply of affordable housing
- H6 – Housing choice and mix
- H7 - Large and small homes
- D1 - Design
- CC1- Climate Change Mitigation
- CC2 – Adapting to Climate Change

- A1 – Managing the Impact of Development
- T1 – Prioritising walking, cycling and public transport
- T2 – Parking and car-free development

5.0 Planning Considerations

5.1 Principle of additional storey

5.1.1 The 2015 planning permission centred, to a large extent, on the principle of an additional storey on this corner plot. Given the fundamental difference of opinion between the Council and the Appellant in 2015, it is perhaps best to use the Planning Inspector's words to demonstrate how the additional storey accords with the relevant design policies in the local plan. He opined:

5.1.2 *"In conclusion, the development would not harm the character and appearance of the area. Accordingly, the proposal would comply with Policy CS14 of the London Borough of Camden Local Development Framework Core Strategy (CS) 2010 and Policy DP24 of the London Borough of Camden Local Development Framework Development Policies (DP) 2010, which collectively and amongst other matters, requires development to be of the highest standard of design that respects local character, taking into account the form and scale of neighbouring buildings."* [para 15, Appeal Decision notice 27 July 2015]

5.1.3 In terms of the local character and the need to respect the form and scale of neighbouring buildings, the inspector concluded that despite being visible in views along Kilburn High Road from the north and taller than the Old Bell pub and former Red Lion pub, the scale and massing of the proposed recessive storey would reduce the perceived scale and massing and at the same time lessen the 'unsightly exposed appearance' of the top part of the exposed steel frame.

5.1.4 Applying the key design criteria set out in Local Plan policy D1, i.e. those related to massing, scale, visual appearance and local context, it is apparent that policy D1 and the superseded policy DP24 are materially similar. There is no justifiable case, therefore, for departing from the Inspector's reasoning in relation to the principle of permitting an additional storey on the building.

5.2 Design Quality

5.2.1 Whilst the local plan context has changed by virtue of a new development plan being adopted, policy D1 of the Local Plan (2017) sets similar design criteria to DP24. However the new policy differs by virtue of including additional criteria including:

- Responding to climate change
- Sustainable construction
- Preserving strategic and local views
- High standard of accommodation
- Integrating building services equipment

- 5.2.2 The building responds to the climate change criteria and this is further explored later in this chapter of the Planning Statement.
- 5.2.3 Sustainable construction is dealt with by way of the materials specification. The intention is to construct to additional storey using a portal steel frame, clad with materials that are readily recyclable such as metal panels and glazing. This unitised method of construction means the building will be designed and specified in an office, details sent to the relevant manufacturers, and the building assembled on site. This efficient method of construction shortens the overall construction programme, reduces construction mileage, results in less waste on site and ensures that the building can be dismantled simply at the end of its life or during refurbishment.
- 5.2.4 With regard to strategic and local views, these are dealt with succinctly in the Appeal Decision; suffice it to say that the Inspector concluded that no heritage assets (designation or undesignated) would be harmed by the proposed development, nor would local views be materially affected. In terms of strategic views, the proposal is of insufficient scale to be considered to affect any view of statutory importance.
- 5.2.5 No building services equipment is proposed as part of this application, nor was it proposed in 2015. This is demonstrated on the proposed roof plan which shows a series of roof lights (annotated at R/L) automatic opening vents (annotated as AOV) which will sit almost flush with the roof membrane. The lift overrun will be extended to facilitate lift access to the new floor of accommodation. However, the position of the overrun is such that it will not be seen in views from Kilburn High Road, Springfield Lane or Cambridge Avenue. This is evidence by the fact that the existing lift overrun at fourth floor level cannot be seen from these key locations.

5.3 Residential Quality

- 5.3.1 The proposed residential accommodation remains unchanged from the 2015 appeal decision. At the national, strategic and local levels, the importance of housing delivery has arguably intensified in the last three years as London continues to fall short of its annual housing targets. The new NPPF affirms that the housing crisis is no longer a fringe issue for the young, but a national issue that is affecting an entire generation. This is reflected in Local Plan policy H1 which states the Council will aim to exceed its target of granting permission 16,800 homes between 2017 and 2031.
- 5.3.2 Local Plan policy H6 promotes housing choice and mix, requiring all homes to provide, *inter alia*, functional, adaptable and accessible spaces, meet the nationally described space standard, require 90% of homes to meet Building Regulation M4(2) and 10% to meet M4(3). In addition, the policy requires a range of dwelling sizes in accordance with policy H7.

5.3.3 All five residential units will exceed the Nationally Described Space Standards as demonstrated in the table below:

Apartment No.	Bedrooms	Area (GIA)
1	1b 2p	53.1
2	2b 3p	61.4
3	2b 4p	74.4
4	2b 3p	65.8
5	2b 4p	79.1

5.3.4 All of the units – with the exception of Apartment 3 – will benefit from private amenity space. Apartment 3, by virtue of its location, cannot provide amenity space. However, this is largely mitigated by its internal floorspace which comfortably exceeds the minimum standard for a two-bed unit. There is no change to the level of amenity space provided in the appeal scheme and the proposed scheme and this issue was not contested during the course of the 2015 planning appeal. Para 3.195 of the Local Plan acknowledges that flexibility around dwelling sizes may also be required to achieve rational layouts and the best possible accessibility arrangements. The provision of amenity space for Apartment 3 would clearly compromise the efficiency of the internal layout.

5.3.5 All of the units have been designed to be compliant with Building Regulation M4(2). Paragraph 3.153 of the Local Plan confirms that The Council will not require M4(3) wheelchair user dwellings as part of developments that provide five additional dwellings or fewer.

5.3.6 With regard to aspect, only Apartment 2 is single aspect. The other four apartments will be dual aspect. Apartment 3, despite being single aspect, is not within 45 degrees of due north and therefore cannot be considered to be a north facing single aspect unit. In any case, Apartment 3 has a shallow footprint, floor-to-ceiling glazing and generous amenity space (13 sqm) which are material mitigating factors.

5.3.7 In terms of unit mix, four of the apartments will have two bedrooms, thus meeting the high demand for two-bed market homes shown in Table 1 (para 3.189) of the Local Plan. Para 3.191 states that the Council acknowledges that is not always possible or desirable to focus solely on the high priority unit sizes as there is latent demand for units of all sizes. The ratio of 80% two-bed to 20% one bed apartments is therefore considered to be in accordance with Local Plan policies H6 and H7.

5.4 Residential Amenity

5.4.1 The existing building comprises a mix of uses including commercial uses at basement and ground floor levels, and apart-hotel suites at first to fourth floors. The building has three road-facing elevations. Given the open aspect, the wide boulevard nature of Kilburn High Road and the orientation (and distance) of Falcon House to the north of the site, there will be no adverse impact on adjacent residential properties. This is in accordance with Local Plan policy A1(f).

5.4.2 Policy A1(i) seeks to manage the impacts of the construction phase of developments and advocates the use of Construction Management Plans. The Inspector stated in 2015 that the requirement for a Construction Management Plan was best captured in a S106 Agreement rather than a planning condition and the Applicant is willing to agree to such a clause.

5.5 Affordable Housing

5.5.1 One of the key changes in policy occurring between the date of the appeal decision and the submission of the new application is the adoption of a small sites affordable housing policy. Policy H4 now requires all housing developments of 100sqm GIA or more to make a contribution to affordable housing.

5.5.2 Part d of the policy states that for developments of fewer than 25 units, a sliding scale target will apply, starting at 2% for one home and increasing by 2% for each additional home. This would set a notional benchmark of 10% affordable housing. However, part (g) of the policy states that on developments of fewer than 10 units, the Council will accept a financial payment in lieu. The calculation, based on floorspace, lowers the notional requirement to 8%.

5.5.3 The appropriate payment in lieu has been calculated using the formula set out in Camden's Interim Housing CPG (March 2018). The calculation is contained in Appendix 4 of this Planning Statement and has been based on the unit figure of £2,650 which is acknowledged as being subject to periodic review by the London Borough of Camden.

5.5.4 The figures are based on the declared GIA figures which were declared in the planning application. The GIA was measured in accordance with RICS Code of Measuring Practice 6th Edition which includes communal areas including staircases, corridors, bicycle stores and storage cupboards. Hence the multiplying factor of 1.053 has been used to approximate the GEA floorspace. This is in accordance with IH2.29 of the Interim Housing CPG.

5.5.5 The calculation shows that a payment in lieu of £94,875.30 will be policy compliant. This will be collected via a S106 agreement, payable upon implementation of the permission.

5.6 Sustainability

5.6.1 The sustainability agenda – and policy framework – has changed markedly since 2015. Both the Code for Sustainable Homes and the Lifetimes Homes criteria have been superseded by the imposition of more onerous building regulations. Indeed, the Inspector noted (para 27 of the appeal decision) that the CfSH was soon to be superseded. The Inspector therefore imposed planning conditions relating only to water efficiency and CO₂ reduction.

5.6.2 The Applicant has commissioned sustainability consultants Eight Associates to produce an energy strategy and a sustainability strategy which demonstrates how water consumption and carbon dioxide emissions will be minimised. In response to the Council's initial feedback on the development proposal, the plans have been amended to include a zero-emissions heating system through the use of air-source heat pumps.

- 5.6.3 The Energy Report demonstrates that the development will reduce carbon emissions by 7.0% from the fabric energy efficiency measures specified under the 'Be Lean' criterion, and will reduce total carbon emissions by 37.1% over Building Regulations with the further inclusion of low and zero carbon technologies.
- 5.6.4 The accompany water consumption calculations, also produced by Eight Associates, demonstrates that all five flats will achieve the target of using less than 110 litres per person per day.
- 5.6.5 The submitted documents therefore demonstrate compliance with London Plan policy 5.2 and local plan policies CC1, CC2 and CC3(a). Crucially, these details were approved as recently as 23 July 2018 – LB Camden reference 2018/2281/P – and the decision notice is included as Appendix 3.

5.7 Air Quality

- 5.7.1 The application is now accompanied by an Air Quality Assessment prepared by Eight Associates in response to comments received from the Energy and Sustainability officer.
- 5.7.2 The unmitigated risk to local sensitive receptors from emissions of dust and pollution from construction activities is deemed to be low and negligible risk, aside from the risk of dust soiling from demolition, which is medium. The risk from all construction activities can and should be mitigated to negligible by adopting standard measures set out in an Air Quality & Dust Management Plan (AQDMP) which will be form part of the principal contractor's Construction Environmental Management Plan.
- 5.7.3 The development is therefore in accordance with London Plan policy 7.14, New Draft London Plan policy S11, and Camden Local Plan policy CC4.

5.8 Transport and Servicing

- 5.8.1 The application site has a PTAL 6a rating which means it benefits from excellent public transport accessibility. No off-street parking is proposed with the application scheme and the Applicant is willing to enter into S106 agreement which would secure the development as car-free by abrogating future residents' rights to obtain on-street parking permits from the Council. In this respect the application is accordance with local plan policy T2 which requires all residential developments in the borough to be car-free.
- 5.8.2 The issue of cycle parking represents a key change between the 2015 permission and the scheme which is the subject of this planning application. The 2015 scheme made provision for six bicycles which, at the time, was policy compliant. In light of revisions to the London Plan, the quantum of cycle parking has been increased from six spaces to 11. This comprises two spaces for each two-bed dwelling, one space for the one bed unit and two spare spaces for visitors or for residents who wish to own more than one bicycle. The storage will be provided within lockable cupboards, accessible only to the residents of the five flats.
- 5.8.3 The cycle storage provision therefore accords with the provisions of local plan policy T1 and London Plan policy 6.9 (with reference to Table 6.3 – Cycle Parking minimum standards).

5.9 Access

- 5.9.1 With regard to the access arrangements, no changes have been made to the allowed appeal scheme. Residents will have both stair and lift access. The building has two stair cores, both of which will be extended to the new floor. The existing lift core will also be extended upwards. Access to the new floor will be by electronic fob which will activate the keypad within the lift to allow access to the fifth floor. Similarly, the doors from the stairs at fifth floor level will be operated by an electronic fob that only the residents will possess. This means there will be no access to the fifth floor by hotel occupants, and no access to the hotel suites, either from the stairs or the lift.

5.10 CIL and S106

5.10.1 The 2015 permission was granted pursuant to a S106 Agreement which included the following heads of terms:

- Car free development
- Construction management plan
- Sustainable building design
- Monitoring costs

5.10.2 As noted by the Inspector in paras 29-31 of the appeal decision, the heads of terms relating to education and public open space have been superseded by the Council's CIL charging schedule. The Inspector also expressly stated that the mooted monitoring fee was unnecessary. For these reasons we cannot agree to a repeat of these heads of terms.

5.10.3 As the obligation relating to submission a sustainability report was fulfilled through the imposition of a planning condition, the Inspector noted that its inclusion within the S106 was unnecessary. The matter has since been considered under the details discharged pursuant to Condition 4 of the 2015 permission and the relevant details are included with this application. Hence, the Applicant cannot agree to the inclusion of a sustainability report as one of the heads of terms for the S106 agreement.

5.10.4 Instead, we proposed the new S106 Agreement includes the following heads of terms:

- Commitment to car free development by abrogating residents' rights to obtain on-street parking permits;
- Construction management plan; and
- Affordable housing payment in lieu amounting to £94,875.30

5.10.5 This is entirely in accordance with the reasoned and justified approach set out by the Inspector in his appeal decision letter.

6.0 Conclusion

- 6.1.1 The application proposes the erection of an additional storey, thus creating a new fifth floor, for the creation of five self-contained homes for market sale.
- 6.1.2 The application is effectively a simple renewal of a recently-lapsed permission that allowed on appeal on 27 July 2015. The adoption of a new Local Plan, new NPPF and the draft London Plan have not changed the core development principles that were examined in detail during the course of the 2015 appeal.
- 6.1.3 The application, subject to a simple S106 agreement, should be capable of being fast-tracked through planning to ensure that there are no undue delays to the delivery of this housing scheme, as advocated in paragraph 59 of the NPPF.
- 6.1.4 In design terms, the Inspector has already acted as adjudicator on the scheme, considering the height, bulk, scale, massing and materiality to be acceptable. Bearing in mind the authority of the Planning Inspectorate, we expect that arguments relating to detailed design will not be reopened. We also point out the detailed material specification for the approved scheme was approved on 02 August 2018.
- 6.1.5 The 2015 scheme has been updated to take into account the requirement for more cycle parking and a financial contribution towards affordable of housing of more than £94,000.
- 6.1.6 The proposal is demonstrably compliant with local, strategic and national planning policy by delivering a mix of units in accordance with the Nationally Described Space Standards.
- 6.1.7 The scheme has also demonstrated its sustainability credentials in terms of water efficiency and a 37% reduction in CO2 emissions. The scheme will also be car free in an area of the borough where accessibility to public transport and local amenities is considered to be excellent.
- 6.1.8 The proposed development is in accordance with the relevant policies of the local plan and, in the absence of any other material considerations to indicate otherwise, the Council should grant permission as required by S38(6) of the Act.

Appendix 1

Appeal Decision

Hearing held on 24 February 2015

Site visit made on 24 February 2015

by Jonathon Parsons MSc BSc (Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 July 2015

Appeal Ref: APP/X5210/W/14/3001424
34A-36 Kilburn High Road, London NW6 5UA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Helenium Holdings Ltd against the decision of the Council of the London Borough of Camden.
 - The application Ref 2014/2786/P, dated 10 April 2014, was refused by notice dated 26 September 2014.
 - The development proposed is the construction of an additional storey to provide 5 additional residential units.
-

Decision

1. The appeal is allowed and planning permission is granted for the construction of an additional storey to provide 5 additional residential units at 34A-36 Kilburn High Road, London NW6 5UA in accordance with the terms of the application, Ref 2014/2786/P, dated 10 April 2014, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the additional storey hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: 0787-101B; 0787-102; 0787-202A; 0787-203A; 0787-303A; 0787-304 and 0787-305.
 - 4) No development shall take place until a sustainability plan has been submitted to and approved in writing by the local planning authority. Such a plan shall detail a strategy and associated measures to reduce water consumption and carbon dioxide emissions. Before the first occupation of the flats hereby permitted, a verification report by a qualified person, certifying the plan's implementation, shall be submitted to and approved in writing by the local planning authority. The qualified person shall be approved in writing by the local planning authority before the submission of the verification report.

Procedural Matters

2. The applicant's name on the application form is different to that of the appellant indicated on the appeal form. The original applicant has authorised Helenium Holdings Ltd to conduct the appeal on their behalf. I have determined the appeal on this basis.
3. A legal agreement dated 4 March 2015 under Section 106 of the Town and Country Planning Act 1990 (as amended) was submitted after the Hearing was closed. At the Hearing, a draft of this agreement was considered. This obligation seeks to address the Council's reasons for refusal relating to inadequate provision for a car-free development, construction management plan, education, sustainable building design and public open space. This obligation has been considered under the main issues in my decision.
4. Although this agreement requires contributions towards education and public open space, there is a clause within it that such contributions will not be required if the Council's Community Infrastructure Levy (CIL) Charging Schedule has taken effect. Such a clause was agreed by the Council. On 1 April 2015, the Council has started charging CIL and therefore there is no requirement for these contributions under the agreement. The Council's fourth and sixth reasons for refusal relate to these matters. As CIL charging has started, my detailed consideration shall therefore be confined to the issues set out in the remaining reasons for refusal as set out in paragraph 6 below.
5. On 25 March 2015, in a Written Ministerial Statement (WMS), the government announced a new policy for housing standards, including Transitional arrangements for its new policy between the Royal Assent of the Deregulation Act and 30 September 2015. Comments were sought from both main parties on this WMS and I have commented upon them under the headings of sustainable building design and conditions.

Main Issues

6. The main issues are (a) the effects of the proposal on the character and appearance of the area and (b) whether or not provision for a car-free development, a construction management plan, and sustainable building design is required.

Reasons

Character and appearance

7. The appeal building consists of a 5 storey contemporary designed building at the corner of Kilburn High Road and Springfield Lane. It has largely flat unarticulated elevations with cladding and fenestration within an exterior steel girder frame which projects above a flat-roof in an exposed manner.
8. Along Kilburn High Road, building heights fall to part 2/part 3 storey to the north of the site and increase to 6-8 storeys in the other direction beyond the appeal site. There is a mixture of old and new buildings in the area but they are closely packed in alongside one another interspersed by some roads, such as Springfield Lane. There is a gradual downward slope in the ground levels southwards past the appeal building along Kilburn High Road.

9. There are two older more traditional designed buildings adjacent to the appeal building. The Old Bell public house on the other side of Springfield Lane lies to the north whilst the Red Lion public house lies to the south. The Red Lion is an attractive red brick building four stories high which has a noticeable tall pediment set between chimney stacks on the frontage. It has attractive horizontal banding and use of Italianate stucco dressing. The Old Bell is a two storey building of yellow brick construction with decorative red brick features and has a three storey hexagonal corner tower. Adjacent to the Red Lion building, there is a six storey building between Nos 24-32 Kilburn High Road. In the surrounding area, there is a terrace of nine Victorian buildings opposite the site which is decoratively detailed in an Italianate style and at No 42, there is an Edwardian building with a corner tower.
10. Within the street, these older traditional designed buildings are attractive by reason of their architectural decoration and interesting features. The more modern buildings are larger and generally more dominant in their appearance. This gives rise to a varied character and appearance in terms of scale and design. In the case of the appeal building, the elevations lack any significant visual interest, even compared to the other modern styled buildings along the street, and contribute little to the attractiveness of the street. In this respect, the exposed top of the existing roof-level steel girder has a visual awkwardness about it because of the way that it is exposed against the sky.
11. The additional storey would be stepped back from the outer edge of the flat-roof of the host building by approximately 2.3m on the Kilburn High Road frontage. It would also be similarly stepped back from the Springfield Lane frontage apart from a small section where there would be an enclosed staircase. The Design and Access Statement states that the new extension would be clad in semi-vertical translucent glass channels whilst the windows would be finished in a mirror finish stainless steel. Such materials are indicated to be reflective such that at street level, the extension will reflect the sky, lessening the apparent massing.
12. There would be views of the additional storey along Kilburn High Road from the north although it would be most evident between the part of the road, beneath which the railway lies, and the site, and the platforms of Kilburn High Road station. However, the fact that the additional storey building would be seen to be higher than the Old Bell or the Red Lion is not in itself harmful. The additional storey would be significantly stepped back from the edge of the appeal building which would reduce the extended building's scale and massing substantially. The use of light coloured and reflective materials would also lessen its visual prominence in the street. There would also be some visual benefit with the additional storey because it would largely remove the unsightly exposed appearance of the top part of the steel girder frame. The additional storey would also add some architectural interest to the building through the use of the reflective external facing materials.
13. By reason of the set back of the additional storey, there would be no significant squeezing of the Red Lion building between the appeal development and 24-32 Kilburn High Road. It is appreciated that the Council considers the six storey building at Nos 24-32 is a stark reminder of the impact that such a building has on the street scene. However the appeal building as extended would be considerably narrower than this recent development and despite the Council's comment, Nos 24-32 forms an existing element in the locality and thus

provides some context to the appeal proposal. Additionally the use of modern materials would not detrimentally emphasise the extra storey because this would be setback from edge of the host building.

14. An appeal¹ was dismissed in 2004 for the erection of a six storey building at the appeal site before the current building was built. The Inspector considered that the proposal would appear over large in comparison with the adjacent Red Lion and Old Bell public houses. In comparison with the proposal before me, the top floor was similarly designed as a lightweight structure. However, the stepping back of the top floor was to be approximately 0.9m whereas the appeal proposal would be far greater. Additionally, the street scene has changed with the redevelopment of Nos 24-32 which has resulted in a six storey building which has created more variation in building scale in the street scene compared to 2004. For these reasons, there are sufficient reasons to distinguish this current proposal from this previous one and I attach only limited weight to it here in my decision. In any case, each application and appeal proposal must be determined on its individual planning merits.
15. In conclusion, the development would not harm the character and appearance of the area. Accordingly, the proposal would comply with Policy CS14 of the London Borough of Camden Local Development Framework Core Strategy (CS) 2010 and Policy DP24 of the London Borough of Camden Local Development Framework Development Policies (DP) 2010, which collectively and amongst other matters, requires development to be of the highest standard of design that respects local character, taking into account the form and scale of neighbouring buildings.

Development requirements

16. Planning obligations should only be sought where they meet the three tests within Paragraph 204 of the Framework, which are that the obligation should be: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to it. These tests reflect the statutory tests for planning obligations under Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (As Amended).

Car free development

17. CS Policy CS11 states that the Council will minimise provision for private parking in new developments, in particular through car free developments in the borough's most accessible locations, as part of its approach to minimising congestion and addressing the environmental impacts of travel. CS Policy CS19 further states that planning obligations will be used to support sustainable development. DP Policy DP18 states that legal agreements would be used to ensure that future occupants are aware they are not entitled to on-street parking permits. DP Policy DP19 states that development will be resisted which require detrimental amendment to existing or proposed Controlled Parking Zones.
18. Parking adjacent to the building, upon which the additional storey would be added to, would not be possible given the nature of surrounding roads. Beyond this, there is a Controlled Parking Zone where parking is generally

¹ APP/X5210/A/04/1141190.

limited to residents on a permit only basis. At the Hearing, the Council confirmed that the streets were under "parking stress" because the number of available car parking spaces was not much greater than the demand for residential car parking permits. This was confirmed by my site visit where many of the residential permit parking spaces were occupied at the time of my site visit (in early afternoon) when I would have expected more to be available. The appeal site has a high Public Transport Accessibility Level of 6a and is within walking distance of Kilburn Park tube station and Kilburn High Road railway station. There are also a large number of services and facilities, including shops, along Kilburn High Road.

19. The obligation indicates that occupiers will not be entitled to a residents parking permit unless they are disabled, or buy a contract to park in a Council car park. Given the "parking stress" in the area, it would be reasonable to restrict the need for a car parking permit in the way set out in the obligation. The requirement would mitigate harm arising from the development and the proposal would comply with Policies CS11 and CS19 of the CS and Policies DP18 and DP19 of DP. Thus I am satisfied that the obligation requirements are necessary and meet the tests of paragraph 204 of the Framework. Accordingly, this part of the obligation has been taken into account.

Construction management plan

20. The additional storey would be above an existing five storey building which has hotel and residential uses. The Council have stated that the construction of an additional storey would have a significant impact on the living and working conditions of residents and workers in the vicinity, and highway users. The obligation requires a construction management plan to be submitted and approved giving details of environmental protection, highways safety and community liaison measures, as well as ensuring monitoring and review from time to time. It would require details of routes for construction traffic within the area outside of the site.
21. The nature of the roads surrounding the existing building, the difficulties of constructing at a high level, the multitude of different uses and occupiers in the direct vicinity would necessitate this type of construction plan. Although planning conditions can be used to require such plans, the requirements for monitoring and review, and satisfactory routes for construction traffic to the site would be best served by an obligation. Thus, the proposal would comply with Policies CS5, CS11 and CS19 of the CS and Policies DP20, DP21 and DP26 of DP, which collectively and amongst other matters, require mitigation measures, to protect the amenity of Camden's residents and those working and visiting through the use of planning obligations, if appropriate. For this reason, the obligation would satisfy the requirements of paragraph 204 of the Framework. Accordingly, this part of the obligation has been taken into account.

Sustainable building design

22. CS Policy CS13 states that all development would be required to take measures to minimise the effects of, and adapt to, climate change and encourage the highest feasible environmental standards. It requires minimal carbon emissions from redevelopment and developments to use less energy. CS Policy CS19 further states that planning obligations and other suitable mechanisms, where appropriate, will be used to support sustainable development. DP Policy

- DP22 requires development to incorporate suitable sustainable design and construction measures whilst DP Policy DP23 requires developments to reduce their water consumption and sewer network demand.
23. The Camden Planning Guidance 3 Sustainability (CPG3) requires an energy statement to be submitted to demonstrate that a minimum Code for Sustainable Homes (CSH) of Level 4, with certain minimum standards in Energy (50%), Water (50%) and Materials (50%). The CPG3 also requires a 40% improvement of the 2010 building Regulations with regard to the carbon dioxide reduction targets. The CPG3 also requires design stage assessment to certify that the sustainability measures are achievable and a post-construction assessment to confirm the required standards have been achieved.
24. The obligation requires the submission of a sustainability plan which is to include a requirement to secure at least Level 4 under the CSH and attain at least 50% of the credits in each of the Energy, Water and Materials categories. It also secures a pre-implementation and post-construction review of the property by an appropriately qualified and recognised independent verification body. Furthermore, it requires the environmental design to be maintainable in the development's future management and occupation.
25. The appellant's submitted energy statement² outlines a strategy to achieve a CSH Level 4, with expected credits in Energy (50.61%), Water (66.71%) and Materials (70.83%) and a 47.7% reduction in carbon emissions over that required in 2010 Building Regulations.
26. The WMS requires planning permissions should not be granted requiring, or subject to conditions requiring, compliance with any technical standards other than for those areas where authorities have existing policies on access, internal space or water efficiency. On energy performance, local planning authorities may apply a standard that exceeds the energy performance requirements of Building Regulations but not higher than the outgoing CSH Level 4. In response to WMS, the appellant has stated that the obligation does not require anything over and above CSH Level 4 in compliance with the WMS. The Council states a requirement for CO₂ reduction of 35% beyond part L of the 2013 Building Regulations, 20% of this energy reduction to be from renewable sources, and water efficiency of 110 litres per person per day.
27. The Council has development plan policies on sustainable/ environmental design but they pre-date a significant change in government policy. Consequently, the development plan requirements are outweighed by the WMS as a material consideration. With the changes in government policy, the only relevant requirements relate to water efficiency and CO₂ reduction. With regard to the WMS, the CO₂ reduction sought by the Council is higher than the outgoing CSH Level 4. To achieve the requirements, an appropriate strategy and measures, including physical adaptations to the design of the scheme, would need to be put in place. Given the small-scale nature of the scheme and reduced scope of the sustainability plan arising from the change in government policy, I am though not persuaded that the revised requirements cannot be secured by a planning condition rather than an obligation.
28. For all these reasons, this part of the obligation would not meet requirements of paragraph 204 of the Framework and has not been taken into account.

² Preliminary Assessment 34a-36 Kilburn High Road Code for Sustainable Homes Eight Associates 24.02.2014.

Monitoring costs

29. The obligation sets out a monitoring fee of £2310 which did equate to £462 per for each of the main requirements detailed on the agreement, namely car free development, construction management plan, sustainable building design, education and public open space.
30. However, there is no evidence before me that any of the requirements would be exceptionally difficult to monitor with regard to compliance and for this reason, I am not convinced that the costs of monitoring cannot come within the scope of reasonable everyday functions of the local planning authority. For school and public open space provision, contributions are also no longer payable given the introduction of the Council's CIL schedule and therefore monitoring of these requirements would not be necessary. In the case of sustainable building design, I have concluded requirements can be met by a condition instead and would be much reduced due to changes in government policy. On this basis, the monitoring fees would not be necessary to make the development acceptable.
31. For these reasons, this part of the obligation would not meet the tests of Regulation 122 of CIL and has not been taken into account.

Other matters

32. There have been objections regarding the loss of light, privacy and ventilation to a nearby block of flats to the south east of the development. I found that there was a considerable distance separating the flats from the development on my site visit and consequently any impact would not be significant. There have been comments about refuse being left outside the current flats at the appeal site, the playing of loud music and people shouting. Whilst I appreciate the proposal results in additional flats, it is inevitable that refuse would be left out on the day of collection and it will be for the Council to regulate this. I also have no reason to believe that the future occupiers of this development would be unneighbourly and in any case, these flats would be a considerable distance away at a higher level. Individually and cumulatively, these considerations would not outweigh my favourable findings on the scheme.

Conditions

33. Suggested conditions have been considered in light of advice contained in Planning Practice Guidance; for clarity and to ensure compliance with the Guidance, I have amended some of the Council's suggested wording.
34. A condition requiring that the development is carried out in accordance with the approved plans is necessary in the interests of the proper planning and for the avoidance of doubt. In the interests of the visual qualities of the development, a condition has been imposed to secure the submission and approval of samples of materials, and construction in accordance with the approved details.
35. Subsequent to the Hearing, the Council suggested a condition on requiring the development to comply with CSH Level 4, including 50% of the targets in the water, materials and Energy categories. For the reasons already detailed, there have been changes in government policy on housing standards and therefore a condition on this basis has not been imposed. Nevertheless, a condition requiring a sustainability plan to secure water efficiency and CO₂ reduction in accordance with further comments is justified under the WMS and

has been imposed. As part of this, appropriate energy reduction from renewable sources can be detailed. To provide certainty that the strategy and associated measures have been put in place, a requirement for verification before the first occupation of the flats has been added to this condition. Within the condition, the qualified person to carry out this report has been specified to be approved beforehand to ensure satisfactory verification.

Conclusion

36. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be allowed.

Jonathon Parsons

INSPECTOR

APPEARANCES

FOR THE APPELLANT

C Handscomb BSc (Hon) MA MRTPI Savills

N De Lotbiniere MRTPI MRICS Savills

FOR THE LOCAL PLANNING AUTHORITY

Z Haji-Ismail London Borough of Camden

E Lakew London Borough of Camden

INTERESTED PARTIES

D Ajufo Local resident

Documents

1. S106 agreement
2. Appeal Application and documentation for decision APP/X5210/A/04/1141190.

Appendix 2

Application ref: 2018/1833/P
Contact: Obote Hope
Tel: 020 7974 2555
Date: 2 August 2018

Development Management
Regeneration and Planning
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Rolfe Judd Planning
Old Church Court
Claylands Road
London
SW8 1NZ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:
34A-36 Kilburn High Road
London
NW6 5UA

Proposal:

Details of all facing materials of the additional storey pursuant to condition 2 of planning application 2014/2786/P allowed on appeal on 27.07.2015 for: erection of an additional storey to provide 5 x additional residential units.

Drawing Nos: HONE: material for discharge of conditions dated 12th April 2018.

The Council has considered your application and decided to grant permission.

Informative(s):

- 1 Reasons for granting permission -

With regard to Condition 2, details of new facing materials including, cladding, windows and doorframes, roof membrane, roof lights, canopy, balustrades and privacy screens have been provided.

The proposed façade would be clad in semi-vertical translucent sandblasted glass channels and is considered to be sufficiently similar in colour and tone to meet the intentions of the approved plans/elevation drawings (allowed on appeal 3001424)

and as outlined in the DAS.

The proposed cladding (7mm Single-glazing 'cast unwired sandblasted' glass) is considered to be suitable for its context and is therefore acceptable.

The proposed galvanised/stainless steel framed windows and doors in a light bronze finish are considered of high quality. The details and fixings for glazed balustrades demonstrate that both would be frameless. The details are considered to be sufficiently high quality. Moreover, the low-iron glazing specified for the balustrade is particularly welcome.

The details are considered appropriate and provides a satisfactory contextual response to the building, streetscene and surrounding area.

The full impact of the proposed development has already been assessed. As such, the proposed details are in general accordance with policy CS5, CS11, CS19, CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP20, DP21, DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

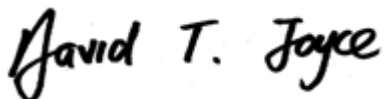
- 2 You are advised that all conditions relating to planning permission 2014/2786/P allowed on appeal on 27.07.2015 which need details to be submitted, have been approved.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Director of Regeneration and Planning

Appendix 3

Application ref: 2018/2281/P
Contact: Obote Hope
Tel: 020 7974 2555
Date: 23 July 2018

Development Management
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London Borough of Camden
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Rolfe Judd Planning
Old Church Court
Claylands Road
London
SW8 1NZ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:

34A-36 Kilburn High Road
London
NW6 5UA

Proposal:

Details of compliance with condition 4 sustainability plan as required by planning permission 2014/2786/P granted on appeal on the 27.07.2015 for the erection of an additional storey to provide 5 x additional residential units.

Drawing Nos: Covering letter from Rolfe Judd, Planning Statement and Energy Assessment from Eight Associates date 30.04.2018, Water efficiency calculations commission by Bregobal no date and Planning Report commission by Eight Associates no date.

The Council has considered your application and decided to grant permission subject to the following informative(s):

Informative(s):

- 1 Condition 4 requires the submission of details of how the development shall incorporate sustainable design principles and CO2 reduction and water efficiency C as the key parameters for this development. The development is achieving

37.7% CO2 reductions overall. This meets the policy target of 19% reduction (against 2013 Building Regulation) for this scale of residential scheme as well as the 35% reduction originally sought.

The applicant has provided details to address each of the points outlined in condition 4, the information submitted includes:

High insulation standard to reduce transfer of heat through the building fabric;
Use of gas boiler to provide heating for the development;
Pipework will fully insulated to minimise heat loss;
The gas boiler will have maximum efficiency of 89.5%;
Enhance thermal mass to dampen external temperatures peaks;
Envelope air tightness to reduce unnecessary air infiltration;
Daylight and well-planned floor layouts to reduce the need for artificial lighting, and;
High efficacy lighting greater than 70lm/W

The calculations show each unit achieving 105 litres per person per day of internal water consumption. This meets Camden policy requirements (+ 5 litres/person/day for external use). During the course of the Sustainability Statement was assessed by the Council's Sustainability Officer and considered acceptable for the approval of condition 4.

It is suggested that natural ventilation will be used to reduce mechanical cooling including "openable windows" - the applicant is reminded that open windows should not be used directly in conjunction with mechanical cooling in the same space or room.

The full impact of the proposed development has already been assessed. The proposed details would not have a harmful impact on the appearance of the host buildings and streetscene, on the character of the conservation area or on neighbouring amenity.

The details provided are in general accordance with policies CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

- 2 You are reminded that condition 2 of planning permission 2014/2786/P dated 27/07/2015 has been submitted and is currently being considered .

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

David T. Joyce

David Joyce
Director of Regeneration and Planning

Appendix 4

34A-36 Kilburn High Road – Payment in lieu calculation

This calculation has been prepared by Rolfe Judd Planning for Helenium Holdings Limited. The calculation is intended as guidance as the unit figure of £2,650 is subject to periodic review by the London Borough of Camden. The calculation has been prepared having regard to the following documents:

- Camden Local Plan 2017
- Camden Planning Guidance 8 – Planning Obligations (March 2019)
- Camden Planning Guidance – Interim Housing CPG (March 2019)

The figures are based on the declared GIA figures which were declared in the planning application. The GIA was measured in accordance with RICS Code of Measuring Practice 6th Edition which includes communal areas including staircases, corridors, bicycle stores and storage cupboards. Hence the multiplying factor of 1.053 has been used to approximate the GEA floorspace. This is in accordance with IH2.29 of the Interim Housing CPG.

Additional residential floorspace (GIA)	Additional residential floorspace converted to GEA (using multiplying factor of 1.053)	Capacity (rounded floorspace addition/100 sq m)	Affordable housing percentage target (capacity x 2%)	Affordable Housing floorspace target (percentage target x GEA)	Payment in lieu required (floorspace target x £2,650)
425	447.525	4 additional homes	8%	8% x 447.525 = 35.802	£94,875.30

The payment in lieu will be collected via a legal agreement, with the trigger point being the implementation of the permission.

RW/P6770

10 September 2019

Rolfe Judd

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