

Delegated Report		Analysis sheet		Expiry Date:	20/11//2020
		N/A		Consultation Expiry Date:	24/10/2020
Officer			Application Number(s)		
Adam Greenhalgh			2020/1415/P		
Application Address			Drawing Numbers		
6 Fortess Road London NW5 2ES			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of a second floor rear extension and roof extension, plus conversion of the first, second and third floors into 5 x 1 bedroom flats (Class C3)					
Recommendation(s):		Refuse planning permission			
Application Type:		Full planning permission			
Conditions or Reasons for Refusal:		Refer to Decision Notice			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	0	No. of objections	0
Summary of consultation responses:		Site notice: 30/09/2020 – 24/10/2020 No responses			
Kentish Town Neighbourhood Forum		Acknowledged receipt of application but no comments made			
Site Description					
<p>6 Fortess Road is a four storey terraced building on the east side of Fortess Road near its southern end. The ground and basement floors are used by a shop. The third floor is contained within the building's gable-fronted dual-pitched roof and the first, second and third floors are used as a two bedroom flat, a two bedroom flat and a studio flat.</p> <p>The building is not listed and it is not within a Conservation Area.</p> <p>It sits in the middle of a terrace of similar four storey buildings with retail/commercial uses on the ground floor and residential on the upper floors. The property already has a substantial part single storey/part two storey rear extension and the roof, which is raised above the other properties in the terrace, has a rear dormer and projections on both sides.</p>					

Relevant History

2006/0544/P- Retention of existing self-contained lower ground and ground floor studio maisonette (Class C3) from former ancillary storage space to the above retail unit (Class A1). 06/02/2006 Granted permission with Section 106 Legal Agreement

PEX0201021- Change of use to convert the rear part of the ground floor shop into a self-contained studio flat. 27/11/2002 Refused permission.

9500209- Erection of a single storey rear extension to the shop. 09/02/1995 Granted permission

9100411- The erection of a rear extension at second floor level to the existing self-contained flat. 17/04/1991 Refused Permission

8903696- Change of use to provide a two bedroom flat and a three bedroom maisonette together with the erection of a two storey rear extension for shop and residential use and the provision of a rear dormer window. 10/11/1989 Granted Permission.

Relevant policies

National Planning Policy Framework (2019)

(Technical housing standards – Nationally described space standards 2015)

The London Plan March 2016 and Draft London Plan July 2017

Camden Local Plan 2017

Policy H1 Maximising housing supply

Policy H6 Housing choice and mix

Policy H7 Large and small homes

Policy C5 Safety and security

Policy A1 Managing the impact of development

Policy A4 Noise and vibration

Policy D1 Design

Policy CC5 Waste

Policy T1 Prioritising walking, cycling and public transport

Policy T2 Parking and car-free development

Camden Planning Guidance Adopted March 2018:

CPG Housing (interim)

CPG 2 Housing May 2016 (updated March 2018)

CPG Amenity

Adopted Prior:

CPG 6 Amenity (September 2011 updated March 2018)

CPG 8 Planning obligations (July 2015 updated March 2018)

Kentish Town Neighbourhood Plan 2016

Policy D3 Design Principles

Assessment

1.0 PROPOSAL

- 1.1 The proposal is to erect a second floor rear extension (level with the existing first floor rear extension) and extensions to the roof by way of a full width, full height rear/side extension (extending beyond the rear elevation of the original building). The first, second and third floors would be converted from 2 x 2 bed flat and 1 x studio flat to 5 x 1 bed two person flats, a net

increase of 2 units.

- 1.2 The second floor extension would be full width and 2.25m in depth. A full width, full height extension would be undertaken at the rear of the roof (beyond the rear elevation of the main building) and the existing side projections would be extended to the sides of the building. The sides would be 7m in depth and they would sit 3m behind the front elevation.
- 1.3 The materials for the extensions would be matching brickwork for the second floor rear extension and zinc standing seam cladding for the roof. The flat sizes are indicated as:

Dwelling Type	GIA (sq m)
1 st floor rear 1 bed 2 person	38.5
1 st floor rear 1 bed 2 person	39
2 nd floor rear 1 bed 2 person	38.5
2 nd floor front 1 bed 2 person	39
3 rd floor studio	41

2.1 ASSESSMENT

The material considerations for this application are summarised as follows:

- Design and impact on character and appearance of the area
- Amenity of neighbouring residential occupiers
- Mix and quality of accommodation
- Transport/highway issues
- Mayor of London's CIL and Camden's CIL

2.2 Design and impact on the character and appearance of the area

2.2.1 Local Plan Policy D1 (Design) requires new development to respect local character and context. The Camden Planning Guidance on Design requires new development to respond positively to the context and character of an area, with a good level of integration. The proposed second floor rear extension would project some 4.5m in total beyond the rear elevation of the main building. It would rise up to eaves level of the original building and thus would not be one full storey below eaves level as recommended by CPG design guidance. The proposed roof extension would also project beyond the rear elevation of the main building. Its zinc cladding and blocky design is particularly unattractive and incongruous at this high level. Both elements, due to their size, siting and appearance, would represent excessively bulky additions to the building, would totally dwarf and obscure the building's original profile and façade at its rear, and would appear out of context and character with the building and in the area. The overbearing nature of the proposals would be more apparent due to their height. They would therefore be contrary to policies in both the Local Plan and the Kentish Town Neighbourhood Plan for maintaining the character of the building and area.

2.3 Amenity of neighbouring residential occupiers

2.3.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents.

2.3.2 There are second floor windows at both of the attached properties on either side and in close proximity to the proposed second floor rear extension. The proposal would project a further 2m from the existing rear façade, resulting in the creation of an approximately 5.5m deep, 4+m high solid wall approximately half a metre from these windows which would result in an unacceptable loss of outlook for the occupiers of the rooms. In the absence of a Daylight Impact Assessment report to demonstrate

otherwise, there is also concern that the proposed second floor and roof extensions, due to their proximity and projection, would also be likely to result in a loss of daylight and sunlight to the aforementioned second floor windows at the adjoining sites.

2.3.3. No windows are proposed in the side elevations of the proposed extensions. However, it can be seen from the proposed side elevations that the proposed second floor extension, which would have bedroom and living room windows in its rear elevation, would be sited only 3m from the first floor roof terrace at 2c Falkland Road at the rear, which is closer than existing windows. This additional level of intrusion by closer windows would result in increased overlooking of the terrace to the detriment of the amenity of the occupiers.

2.3.4 There would be no undue risks to security at any neighbouring properties and the scale of development and proposed use would not result in excessive noise outbreak or disturbance in the surrounding area.

2.3.5 Due to the size and siting of the proposed second floor rear extension and roof extensions, it is considered that the proposal would result in losses of privacy and outlook, and could result in losses of light, for the occupiers of neighbouring properties contrary to policy A1 of the Local Plan.

2.4 Residential accommodation

Mix of units

2.4.1 Policy H7 of the Local Plan seeks to ensure that all housing development contributes to meeting the priorities set out in the Dwelling Size Priorities Table (below) and includes a mix of large and small homes.

Table 1: Dwelling Size Priorities

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom (or more)
Social-affordable rented	lower	high	high	medium
Intermediate affordable	high	medium	lower	lower
Market	lower	high	high	lower

2.4.2 The proposal would comprise all 1 bedroom market units for which there is a lower requirement in Camden. It would fail to provide a mix of dwellings as per Camden's dwelling size priorities. There would be no requirement for affordable housing contributions as the scheme involves only 2 new units and less than 100sqm of residential floorspace.

Quality of accommodation

2.4.3 All the proposed units, sized 38.5 - 39sqm, would fall significantly short of the minimum space requirement (ie. 50 sqm) for 1 bed 2 person flats in the nationally described space standard. It should be noted that no private amenity space would be provided for any of the flats (as required under policy D1 – para 7.23) and the flats would be single aspect only. The proposals would therefore fail to provide a satisfactory living environment in accordance with policy H6.

2.5 Transport/highways issues

2.5.1 Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The Council will not issue on-street parking permits in connection with new development and use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits.

2.5.2 No on-site parking is proposed as part of the current proposal and none of the proposed units would be eligible for on street permits. The car-free requirement would be secured by a legal agreement if the scheme was considered acceptable. In the absence of an acceptable scheme (and hence no Section 106 agreement), this becomes a reason for refusal.

2.5.3 Policy T1 of the Camden Local Plan requires developments to provide cycle parking facilities in accordance with the minimum requirements of the London Plan. No on-site cycle parking facilities are shown. However, given the constraints of the site, it is considered that the requirement for indoor cycle parking can be waived in this particular instance. A contribution towards providing on-street cycle parking in the vicinity of the site should be secured through a Section 106 agreement by a contribution of £715 (3 stands at £255 each). In the absence of such a legal agreement, the proposal should be refused on grounds of failing to promote sustainable methods of transport.

2.5.4 As the application site is located on a busy high street directly adjacent to a pedestrian crossing, it is essential that the construction of the proposed development is carefully managed. A Construction Management Plan and associated Implementation Support Contribution of £3,136 and Impact Bond of £7,500 will therefore need to be secured by means of the Section 106 agreement. This will help ensure that highway safety and local amenity are maintained throughout the construction process. In the absence of an acceptable scheme (and hence no Section 106 agreement), this becomes a reason for refusal.

2.5.5 No arrangements are included for the storage of waste or recyclables from the flats, although there is potentially space in the ground floor courtyard and within the flats to provide such dedicated refuse storage. In the absence of any submitted details, the proposals would therefore fail to promote the sustainable management of resources and would not accord with policy CC5 of the Local Plan on the storage and collection of waste and recyclables.

2.6 Community Infrastructure Levy

2.6.1 The proposal will be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the creation of new dwellings.

3.0 **Conclusion**

The scheme is unacceptable for a number of reasons:-

- The proposed extensions, by reason of their location, size, bulk, height and design, would harm the character and appearance of the building and area.
- The proposed extension, by reason of loss of light, outlook and privacy, would result in a loss of amenity to the occupiers of neighbouring properties.
- The proposed flats would fail to comply with the National Housing Standards and thus would fail to provide a satisfactory level of amenity for future occupiers.
- The proposed conversion, by reason of comprising all 1 bed market units for which there is a lower requirement in Camden, would fail to provide an appropriate mix of dwellings.
- The proposal would not provide adequate waste and recycling arrangements for the new flats.
- Finally, in the absence of a legal agreement relating to a contribution to cycle parking facilities, car-free housing, a CMP and associated support fees, the proposal is also contrary to the Council's policies for car-free development, cycle parking and impacts on highways.

4.0 **Recommendation**

4.1 Refuse planning permission