**Planning Statement**

**Solicitor’s Offices and Premises, 3rd Floor, 108 Kilburn High Road, London, NW6 4HY**

**Proposed change of use from A2 to C3 and conversion of 3rd floor to 1 x 2 bedroom 3 person flat with alterations to the front and rear elevations and first floor green roof.**

**1. The Author:**

I am Stuart Cunliffe. I have many years’ experience of planning and development throughout the United Kingdom as an FRICS with particular reference to the London area .

**2. The Proposal:**

The property is the subject of a concurrent application for Prior Approval of change of use to 6 x self- contained studios with associated building works including improvements to the front and rear elevations. The alterations to the elevations in the two applications form a complete renovation of the front and rear elevations.

This proposal is informed by the refusal of application 2020/4152/P for conversion of the upper floors to flats and the addition of a new loft flat. In this and the concurrent Prior Approval proposal, the rear extension has been omitted as also the new loft flat. Also omitted are the improvements to the loft flat in No 110.

The roof form is unchanged.

Improvements to the front and rear elevations are included.

The green roof at first floor level is included.

A draft S106 is included which comprises:

a) car fee parking;

b) the affordable housing contribution;

c) the on-street cycle storage contribution for two cycles.

d) The Construction Management Plan

**3. Matters acceptable to the council:**

The Delegated Report for application 2020/4152/P lists the following matters as acceptable and these are therefore not discussed further in this Statement:

a) Loss of A2 Units is considered acceptable.

b) The provision of residential at first floor level and above would not affect the use of the ground floor unit.

c) The single aspect units would all be studios and which is thought to be acceptable

d) The proposed sash windows would be appropriate detailing.

e) The proposed green roof over the existing ground floor extension is a welcome addition that

would improve the ecological and drainage qualities of the site;

f) The proposal is to restore the original elevation at first floor to match those properties at 110-114, reinstating brickwork with two sliding sash windows and rendered surrounds. These works represent a welcome improvement to the building that would correct the building’s relationship with its neighbours and its contribution to the streetscene.

g) There is an existing close relationship between the roof of the ground floor extension, which acts as the entrance area for the residential units, and the first floor windows of properties along Quex Mews to the north east and Birchington Road to the south east. Through associating 7 more residential units to this area, the proposal would intensify its use increasing the number of comings and goings; however, in the context of the existing situation, it is considered the additional impact would be absorbed without bringing about additional adverse impact.

**4. Concerns:**

The Delegated Report on the refused scheme 2020/4152/P states the following concerns:

a) The design of the rear extension;

b) The dwelling mix and;

c) The access route via Quex Mews.

These are discussed in more detail:

**a) Rear Extension:**

The rear extension is omitted.

**b) Dwelling Mix:**

The dwelling mix is 1 x 2 bedroom 3 person new flat.

Policy H7 seeks a mix of large and small homes. Describing the potential mix, the policy states ***‘We will take a flexibIe approach to assessing the mix of dwelling sizes proposed in each development’.***

Paragraph 3.188 is relevant: “The Camden SHMA indicates that the greatest requirement in the market sector is likely to be for two- and three-bedroom homes, followed by one-bedroom homes/ studios. The council’s own document confirms that there is an important demand for the studio and 1 bedroom flats and that such accommodation would be policy compliant for this particular site.

In this case, the 2 bedroom flat meets the preferred size of home. Even so, the policy recognises the need for studio and 1 bedroom homes.

The council agrees that this location is not suitable for family accommodation as the garden space is surrounded by some 15 flats, whose amenity would be harmed by family use of the garden space.

The floor plate of 71.3 sq m does not provide sufficient floor space for a 74 sq m 3 bedroom 4 person flat.

The 2 bedroom flat is believed to be appropriate and policy compliant.

**c) Access Route**

Access via the staircase of 110 Kilburn High Road:

At paragraph 2.32 the Delegated Report confirms that the access route via Quex Mews is acceptable.

However, at paragraph 2.12 this is contradicted.

The support described at paragraph 2.32 is believed to be the appropriate advice as discussed:

Policy C6 (access for all) seeks disabled access, but this is qualified by the words ‘*where practicable’.*

The proposal is the most ‘practicable’ solution.

Access via the existing staircase of 108 Kilburn High Road:

The existing staircase is steep and has no safety half landings. The narrowness of the staircase and the lack of any wider space close to the front entrance from Kilburn High Road make it impossible to add a lift. The long lease of the ground floor and the expensive fit out of the ground floor tenant render it impossible to renegotiate the lease of the ground floor to enable a lift to be provided. If a lift were to be provided the ground floor tenant would lose valuable frontage space.

The existing staircase has no capacity to be a viable access for all, ie the disabled.

The logical solution is to abandon the existing staircase so that:

1. In the future the frontage of the ground floor unit can be increased bringing a viability benefit to the shopping centre.

2. If this staircase is abandoned it enables the floor plate to enjoy a much reduced amount of common access space, as this element would be reduced from 25% to as little as 9% of the floor plate.

3. The access across the first floor flat roof from Quex Mews can be utilised. This access was approved by the council in 2004. The access is attractive and safe. The Mews access is presently used by 15 other flats so that the increase would be modest.

**5. The Proposal:**

The application is for:

a) Conversion of the third floor of 108 Kilburn High Road from solicitor’s office (Class A2) to C3 Residential comprising 1 x 2 bedroom 3 person self-contained flat.

b) Access via the existing staircase of 110 Kilburn High Road from Quex Mews;

c) Alterations to the front and the rear elevations at 108 Kilburn High Road comprising revised fenestration and render details to match 110 Kilburn High Road.

d) Addition of a green roof finish to the rear flat roof above 108 Kilburn High Road.

The location plan shows edged blue the applicant’s other ownerships adjoining the application site.

These flats, together with the applicant’s other flats in Quex Mews and Birchington Road, form a permanent portfolio of flats let to the general public.

The new flats in 108 Kilburn High Road would be added to the rental portfolio.

**6. Design and Access Statement:**

6.1 Design evolution:

The design has evolved in response to the refusal of planning permission, is informed by matters found acceptable by the local planning authority, responds fully to the concerns of the local planning authority and maximises the use of the property according to the modest floor plate of 71.3 sq m.

6.2 Use:

The proposed residential use has been found acceptable to the local planning authority. Loss of A2 space has been found acceptable too.

6.3 Layout:

The proposal makes best use of the available floor plate of 71.3 sq m. The floor plate is too small for 2 x 1 bedroom flats which require 100 sq m or 1 x 3 bedroom 4 person flat which requires 74 sq m.

6.4 Scale:

The eaves, ridge and roof are unchanged. The is no impact on scale.

6.5 Appearance:

The proposal is to match the attractive features of the third floor elevation of 110-114 Kilburn High Road, eg the extended fascia and soffit, the rendered mouldings around the windows, matching windows. These works represent a welcome improvement to the building that would correct the building’s relationship with its neighbours and its contribution to the streetscene.

6.6 Green roof

The existing felt covered flat roof at first floor will be finished with a green roof as shown in the submitted plans.

6.7 Access:

This has been discussed above at paragraph 4(c).

6.8 Refuse and recycling

There is an existing covered store for refuse and recycling materials at the rear of 116 Kilburn High Road. The store serves 116 Kilburn High Road and the flats in Quex Mews and on the upper floors of 110-114 Kilburn High Road. There is ample capacity to serve the additional flats.

6.9 Parking and cycle storage

The new unit would form a car free development. The occupiers of the new flat would not be entitled to resident’s parking permits. This would be secured by a S106 agreement, of which a draft is attached.

The financial contribution towards the provision of a kerbside hangar is acknowledged and would be acceptable as part of the draft submitted S106 agreement.

**7. Planning obligations/ Community Infrastructure Levy**

The following Section 106 planning obligations area acknowledged as being required should planning permission be granted:

a) Car free development: future residents will not be entitled toa resident’s parking permit

b) Affordable housing contribution; to be agreed by means of a viability assessment. The calculation is believed to be: Payment in Lieu = (71.3 sqm x 1.25) x 2% x £2,650 = £4,723.63

c) A contribution to on street cycle storage hangar provision.

d) Provision of a Construction Development Plan.

A draft S106 agreement is submitted.

**8. Community Infrastructure Levy:**

**T**he usual CIL form has been completed and submitted. The GIA is 71.3 sq m.

**9. Conclusion**

The proposal for the conversion of the third floor from a solicitor’s office to 1 x 1 bedroom 2 person flat should be approved.

The proposal has the following design attributes and benefits;

The development would provide 1 x 2 bedroom 3 person flat.

The removal of the existing front staircase increases the usability of the floor plate from 75% to 91%.

The new windows and eaves details improve the appearance of the rear elevation and would be complementary to the existing elevations of 110 to 114 Kilburn High Road.

A significant improvement to the street scene in Kilburn High Road by the alterations to the front elevation, the removal of the excessively high shop front and the removal of the balustrade above No 110.

A new, secure, private, quiet access to the upper floor of No 108.

The new green roof over the flat roof above the rear ground floor of No 108 would improve visual amenity without affecting the privacy and quiet enjoyment of neighbours.

The new green roof over the flat roof above the rear ground floor of No 108 would mitigate discharge of rainwater from the property.

The development would be car free.

There would be cycle storage provision on street.

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Stuart Cunliffe

February 2021