

**PLANNING APPLICATION FOR THE ERECTION OF A
NEW FOURTH FLOOR EXTENSION ON THE KILBURN
HIGH ROAD FRONTAGE TO CREATE 1 NO. 1-
BEDROOM APARTMENT AND ERECTION OF A NEW
THIRD FLOOR EXTENSION ON THE MESSINA
AVENUE FRONTAGE TO CREATE 1 NO. 1-BEDROOM
APARTMENT, WITH ASSOCIATED WORKS**

PLANNING STATEMENT

232 KILBURN HIGH ROAD, LONDON, NW6 4JP

ON BEHALF OF MOHAMMED ADIL

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**



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1.0 Introduction

1.1 Pegasus Group is instructed by Mohammed Adil ("the Applicant") to submit a planning application to London Borough of Camden Council for full planning permission for the erection of an additional floor to create 2 no. 1-bedroom apartment at 232 Kilburn High Road. The full description of development is as follows:

"Erection of a new fourth floor extension on the Kilburn High Road frontage to create 1 no. 1-bedroom apartment and erection of a new third floor extension on the Messina Avenue frontage to create 1 no. 1-bedroom apartment, with associated works."

1.2 The Site is shown edged in red on the submitted Site Location and Block Plan (drawing no. L100 Rev A).

Application Submission

1.3 The Planning Application is accompanied by the following supporting documentation which is guided by the Council's Local Validation list:

- Completed planning application forms
- Ownership certificates and planning application fee
- A full set of architectural supporting plans
- Planning Statement (this document)

2.0 Site Location and Description

- 2.1 The Application Site ("the Site" hereafter) is located on the corner of Kilburn High Road and Messina Avenue with the entrance to the existing residential apartments located to the rear of the building on Messina Avenue. The Site falls within the administrative boundary of the London Borough of Camden.
- 2.2 The existing building currently comprises commercial space on the ground floor with 3 no. 1-bedroom apartments on the first floor. The second floor comprises 1 no. 2-bedroom apartment and 1 no. 1-bedroom apartment. The third floor comprises 1 no. 1-bedroom apartment. The ground, first and second floor will not be affected by the proposed development.
- 2.3 The Kilburn High Road frontage is currently occupied by a 4-storey building. The frontage to Messina Avenue is occupied by a 3-storey building. The proposed upward extensions would be located above the third floor on 232 Kilburn High Road and above the second floor to the rear of 232 Kilburn High Road, as shown on drawing no. C100 Rev A. Access into the building would be via the existing entrance to the rear of the building on Messina Avenue.
- 2.4 The Site is located within a sustainable location with good access to public transport including both Kilburn High Road and Brondesbury Overground Train Station, Kilburn Underground Station and Kilburn Park Underground Station, and various bus stops, all located within 800m north and south of the Site along Kilburn High Road and providing regular transport services across the city.
- 2.5 The Site is not located within a conservation area and there are also no listed buildings within the immediate vicinity of the Site.

Planning History

- 2.6 Relevant planning history for the site is listed below:

PWX0102129 – The Council refused an application for the erection of a mansard roof extension and a two-storey rear extension in connection with the provision of 3 additional self-contained flats – *Refused 7th January 2002*

2003/1778/P – The Council granted permission for the erection of a 2nd floor side and rear extension over an existing two-storey side and rear extension to create a new self-contained flat – *Granted 7th April 2004*

3.0 Proposed Development

- 3.1 As mentioned above, the ground, first and second floor will not be affected by the proposed development.
- 3.2 A new third floor will extend above the existing flat roof on the Messina Avenue frontage. The proposed new third floor 1-bedroom flat will comprise a bedroom, bathroom, kitchen, living area and terrace. The total floor space of this apartment will be 40 sqm.
- 3.3 The fourth floor will be created on the Kilburn High Road frontage and will comprise another 1-bedroom self-contained apartment comprising a bedroom, bathroom, living room and kitchen and would be accessed via a new proposed internal staircase to match the existing as shown on drawing no. G101 Rev A. The gross internal floor area would be 37sqm. As shown on drawing no. G102 Rev A and C100 Rev A, the fourth-floor extension would involve a proposed new mansard roof finish.
- 3.4 The proposed flats will be accessed via a proposed new staircase. The existing lightwell will be retained.

4.0 Planning Policy Context

4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires all planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Site falls within the Borough of Camden where the statutory Development Plan comprises:

- London Plan (March 2021)
- Camden Local Plan (2017)

4.2 In addition to the statutory Development Plan, application should also be assessed against the National Planning Policy Framework (NPPF) (2021) which is a material consideration in determining individual planning applications.

4.3 The relevant policies of the planning policy framework are set out in turn below, in so far as they are relevant to the determination of this planning application.

Statutory Development Plan

London Plan (March 2021)

4.4 Policy D6 (Housing quality and standards) states that housing development should be of high-quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. A one bedspace single bedroom must have a floor area of at least 7.5 sq.m. and be at least 2.15m wide. A two bedspace double (or twin) bedroom must have a floor area of at least 11.5 sq.m. The minimum floor to ceiling height must be 2.5m for at least 75 per cent of the Gross Internal Area of each dwelling. The minimum space standards for 1-bedroom dwellings is 37 sqm for dwellings with a shower room instead of a bathroom.

4.5 Policy H1 (Increasing Housing Supply) recognises the pressing need for more homes in London. The policy identifies a need of at least 4,480 dwellings across a 10 year period for the Royal Borough of Kensington and Chelsea. To ensure

that ten-year housing targets are achieved, boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions, especially on sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre boundary, and on small sites (as identified in Policy H2).

- 4.6 Policy H2 (Small Sites) states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to significantly increase the contribution of small sites to meeting London's housing needs, and diversify the sources, locations, type and mix of housing supply.
- 4.7 Policy H10 (Housing size mix) states that schemes should generally consist of a range of unit sizes. One consideration should be the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity.
- 4.8 Policy T6.1 (Residential Parking) states that for dwellings in all areas of PTAL 5 – 6 the provision is to provide car free developments. The WebCAT TfL mapping tool shows that the Site is within PTAL 5, therefore this car free proposed development is policy compliant.

Camden Local Plan (2017)

The Camden Policies Map (2021) shows that the Site is within a town centre area, secondary frontage and archaeological priority area.

- 4.9 **Policy G1 (Delivery and location of growth)** states that the Council will deliver growth by securing high quality development and promoting the most efficient use of land and buildings in Camden by supporting development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any

other considerations relevant to the site. The most significant growth expected to be delivered through development at highly accessible locations like Kilburn High Road.

- 4.10 The explanatory text states the Council wants to encourage high quality developments with high densities (i.e. the most homes or rooms that can appropriately be delivered in a given site area) to make the most efficient use of Camden's land and buildings, particularly in the most accessible parts of the borough which includes Kilburn High Road. The Council will expect development proposals in the town centre of Kilburn High Road to contribute towards meeting Camden's pressing need for self-contained housing.
- 4.11 **Policy H1 (Maximising housing supply)** states the Council will look to exceed the target for additional homes by regarding self-contained housing as the priority land use of the Local Plan, and where sites are underused or vacant, expecting the maximum provision of housing.
- 4.12 **Policy H4 (Maximising the supply of affordable housing)** states any development of 1 or more homes which involves additional residential floor space of 100 sq. m GIA or more, will need to provide affordable housing. This development will not reach this limit.
- 4.13 **Policy H6** requires the following:
- To comply with the Nationally Described Space Standards (NDSS).
 - Require 90% of new build self-contained homes to accord with Building Regulations M4(2).
- 4.14 **Policy A1 (Managing the impact of development)** seeks to protect the quality of life of occupiers and neighbours and will ensure that the amenity of communities is protected. Such factors include visual privacy, sunlight, daylight and overshadowing, noise vibration and fumes, and transport impacts.
- 4.15 **Policy A2 (Open Space)** states that the Council will seek development

contributions towards open space applying a standard of 9 sq. m per occupants for residential schemes whilst taking into account any funding for open space from the CIL.

4.16 **Policy D1 (Design)** states that development should respect local context and character, preserve and enhance the historic environment and heritage assets and incorporate sustainable design and utilise details and materials that complement local character. The explanatory text states that extensions should use materials that match the original or neighbouring buildings, or, where appropriate, in materials that complement or enhance a building or area.

4.17 The explanatory text also states that the Council will seek to ensure that residential development, both new build and change of use:

- is self-contained and has its own secure private entrance;
- has good ceiling heights and room sizes;
- is dual aspect except in exceptional circumstances;
- has good natural light and ventilation;
- has good insulation from noise and vibration;
- has a permanent partition between eating and sleeping areas (studio flats are acceptable where they provide adequate space to separate activities);
- incorporates adequate storage space;
- incorporates outdoor amenity space including balconies or terraces; and
- is accessible and adaptable for a range of occupiers.

4.18 **Policy T2 (Parking and car-free development)** states that the Council will require all new developments in the borough to be car-free.

CPG6 – Amenity (January 2021)

4.19 This local guidance relative to amenity issues. It includes specific guidance to avoid overlooking and privacy and states it is good practice to provide a minimum distance of 18 m between windows of habitual rooms in existing properties directly facing each other. With regard to daylight and sunlight the guidance refers to the 45° and 25° test referred to in BRE guidance but

recognises that such issues would be considered flexibly taking into account sites specific circumstances.

Material Considerations

National Planning Policy Framework (NPPF) (2021)

- 4.20 The NPPF sets out the Government’s policy framework for planning and development and is a material consideration in determining planning applications. At the heart of the Framework is the presumption in favour of sustainable development. Local Planning Authorities should approve development proposals that accord with the development plan without delay.
- 4.21 Section 5 of the NPPF aims to deliver a sufficient supply of homes. Paragraph 60 reiterates the Government's rhetoric on 'significantly boosting' the supply of homes across the country. Para 64 states that affordable housing provision should not be sought for residential development that are not major development, defined in the Glossary as where 10 or more homes will be provided, or the site area exceeds 0.5 hectares.
- 4.22 Section 11 seeks to promote the effective use of land in meeting the need for homes and other uses and paragraph 120 supports the use of previously development land for upward extensions, stating that planning policies and decisions should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers
- 4.23 Sections of the NPPF which are relevant to the consideration of the development proposals and the subject of this application include:
- Achieving Sustainable Development
 - Decision-Making

- Delivering a Sufficient Supply of Homes
- Promoting Healthy and Safe Communities
- Promoting Sustainable Transport
- Making Effective Use of Land
- Achieving Well-Designed Places

5.0 Planning Assessment

5.1 This section provides an assessment of the proposed development against the statutory development plan and material considerations, including the NPPF.

Principle of Development

5.2 The proposal relates to two upward extensions to provide 2 no. self-contained apartments making use of a highly sustainable location within a defined town centre, which in line with policy G1 of the Camden Local Plan (2017) and section 11 of the NPPF, which promotes the effective use of land in order to meet the local housing need.

5.3 Camden Local Plan policy H1 encourages the delivery of housing in the Borough, and notes that self-contained residential units are the priority land use especially where sites are underused or vacant. Policy G1 states that to make the most efficient use of buildings, development should be focussed in the most accessible parts of the borough which includes Kilburn High Road and that development proposals in the town centre of Kilburn High Road are expected to contribute towards meeting Camden's pressing need for self-contained housing.

5.4 Policies H1, H2 and H10 of the London Plan also encourage the delivery of houses, with policy H10 suggesting that one bed units are generally more appropriate in locations which are closer to a town centre, station or with higher public transport access and connectivity. The Site has good public transport links being within 800m of the overground train line, underground train line, and bus stops, therefore the proposed conversion of this unit would accord with above policy.

5.5 A residential use is the optimum use and would accord with a range of policies encouraging self-contained apartments in town centre locations.

Design, Layout and External Appearance

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- 5.6 The Council set out requirements in terms of design for residential development as set out at paragraph 5.17. The proposed units are self-contained and will have their own private entrance; natural light and ventilation, and separate kitchen and sleeping area.
- 5.7 The size of both apartments are above the minimum space standards set out in policy D6 of the London Plan. Where possible, the proposed development will provide some outdoor amenity space in the form of a small terrace as encouraged by policy A2.
- 5.8 The proposed additional storeys will seek to reflect the design of the existing character of the area in line with policy D1 of the Local Plan which requires extensions to use materials that match neighbouring buildings. The proposed new fourth floor extension would comprise a mansard roof which fits in well with the streetscape maintaining the prominence of the corner unit and demonstrating good urban design practice. The windows reflect the style and size of those existing on the lower floors. The proposed rear extension along the Messina Avenue frontage is consistent with the build line and complements the proposed new mansard extension on the Kilburn High Road frontage. The relationship between the two parts of the building would remain the same in terms of height. In line with paragraph 120 of the NPPF, the development would therefore be consistent with the prevailing height and form of neighbouring properties and will complement the overall street scene.
- 5.9 The development will be car-free in line with policy T2 of the Camden Local Plan. The site's highly sustainable location eliminates the need for private car use.

6.0 Summary

6.1 Pegasus Group has been instructed by the Applicant to submit a planning application to London Borough of Camden Council for full planning permission for development at 232 Kilburn High Road. The proposed description of development is as follows:

6.2 *"Erection of a new fourth floor extension on the Kilburn High Road frontage to create 1 no. 1-bedroom apartment and erection of a new third floor extension on the Messina Avenue frontage to create 1 no. 1-bedroom apartment, with associated works."*

6.3 The proposed upward extension to create 2 no. self-contained apartments at 232 Kilburn High Road with a terrace for the rear unit. The proposed development would be in a highly sustainable location and will contribute to the Borough's supply of housing. The design of the apartments provides good access to light and ventilation and will maintain the appearance of the existing streetscape.

Conclusion

6.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development, the subject of this application, is consistent with relevant policies of the Local Plan. Further, there is no conflict with any policies or guidance in any material considerations, including national guidance in the NPPF.

6.5 There is no policy premise which prevents the application of the presumption in favour sustainable development and in accordance with Framework paragraph 11(c) the proposed development should be approved without delay.