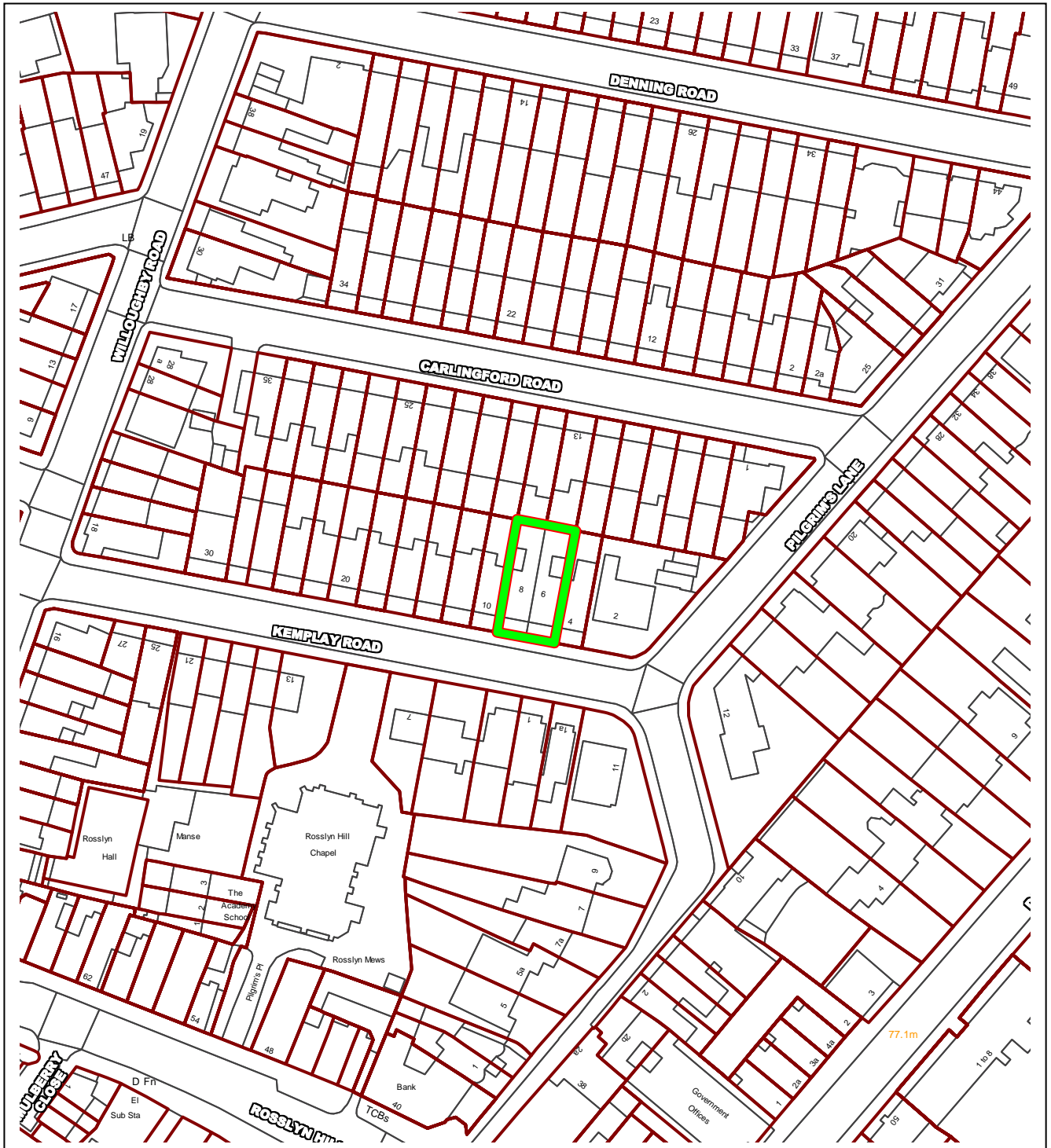


6 – 8 Kemplay Road



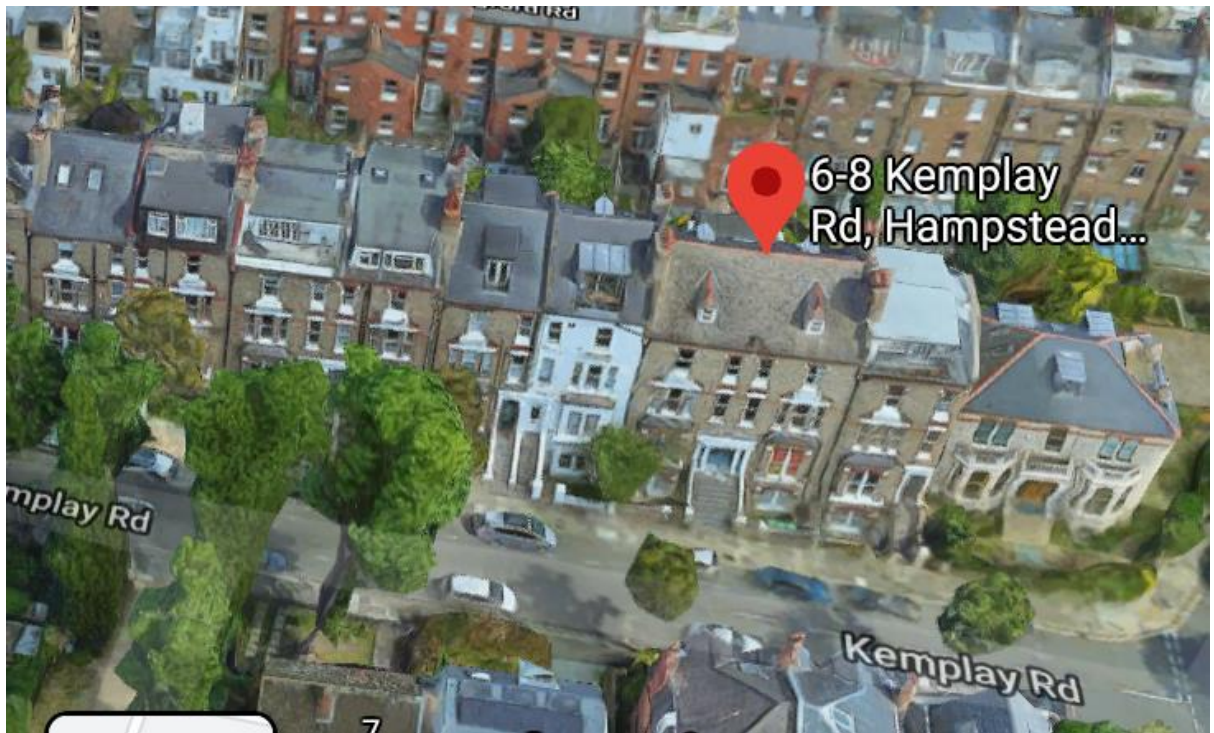
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1. 6 -8 Kemplay Road: Front elevation



2. Large variety to front dormer windows in Kemplay Road



3. Proposed front dormer windows would not harm character or appearance of Conservation Area



4. Alterations to rear elevation (new and amended windows) would not harm Conservation Area

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		21/09/2020			
		N/A		Consultation Expiry Date:		25/02/2021			
Officer				Application Number(s)					
Adam Greenhalgh				2020/2104/P					
Application Address				Drawing Numbers					
6-8 Kemplay Road London NW3 1SY				Please refer to draft decision notice					
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature			
Proposal(s)									
Change of use from hostel (Sui Generis) to residential units (Class C3) to provide 9 no. affordable 1 bed and 1 no. affordable 2 bed self-contained units; conversion and alterations including replacement 'like-for-like' windows and doors, creation of amenity courtyards at rear and enlargement of the existing front and rear dormer windows.									
Recommendation(s):		Grant Conditional Planning Permission subject to a S106 Legal Agreement							
Application Type:		Full Planning Application							
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice							
Informatives:									
Consultations									
		No. of responses		02		No. of objections		02	
		Site notice: 25/06/2020 – 19/07/2020 Press notice: 02/07/2020 – 26/07/2020 No letters received from any adjoining occupiers.							
The Heath & Hampstead Society		Object on grounds of harm to Conservation Area due to size and design of front and rear dormers and proposed roof terrace <i>Planning Officer note: The objections were received following consultation on an initial proposal which included larger front and rear dormers and a roof</i>							

**Hampstead
Neighbourhood
Forum**

terrace. Following consultation the proposed front and rear dormers were reduced in size and the proposed roof terrace was omitted.

We would have no objections to the proposed dormers as revised.

Site Description

The site comprises a pair of five storey buildings which have been joined to form a 15 bedroom and 3 self-contained unit HMO with communal facilities on the lower floors. The building has ground to third floors and accommodation within a pitched roof. It is a period building with brick walls, sash windows, headers and decorative bands and a slate pitched roof with modest front and rear dormers. At the rear the building has a part two storey/part four storey rear addition which extends to the rear of the site.

The site lies in the Hampstead Conservation Area and it sits within a terrace of similar buildings of a similar age with a variety of dormers at the front and rear. The application properties and the other properties in the terrace are noted as being positive contributors to the Conservation Area in the Hampstead Conservation Area Statement.

Relevant History

No previous planning applications on the LB Camden website

Relevant policies

National Planning Policy Framework 2019

The London Plan 2021

Camden Local Plan 2017

- Policy G1 Delivery and location of growth
- Policy H1 Maximising housing supply
- Policy H4 Maximising the supply of affordable housing
- Policy H6 Housing choice and mix
- Policy H7 Large and small homes
- Policy C6 Access for all
- Policy A1 Managing the impact of development
- Policy D1 Design
- Policy D2 Heritage
- Policy CC5 Waste
- Policy T1 Prioritising walking, cycling and public transport
- Policy T2 Parking and car free development
- Policy T3 Transport infrastructure
- Policy DM1 Delivery and monitoring

Camden Planning Guidance (CPG)

- CPG Design (January 2021)
- CPG Amenity (January 2021)
- CPG Home Improvements (January 2021)

CPG Transport (January 2021)
CPG Housing (January 2021)

Hampstead Conservation Area Statement (2001)

Hampstead Neighbourhood Plan (2018)

Policy DH1 Design

Policy DH2 Conservation

Policy TT4 Cycle and car ownership

Policy HC1 Housing Mix

Assessment

1 PROPOSAL

1.1 The proposal is to enlarge the existing dormers (2 at the front and 2 at the rear) and to convert the building from its previous use as 3 flats and a House in Multiple Occupation with 15 bedsits to 10 new flats (1 x 2 bed and 9 x 1 bed) all for affordable rent.

1.2 Two units would be provided on each of the lower ground, upper ground, first and second floors. A duplex unit would be provided in the rear element on the first and second floors and a single unit would be provided in the roof. On the lower ground floor the existing open spaces would be adapted to form 14.1 sq m and 7.8 sq m enclosed courtyards for the two bedroom unit and a 4.8 sq m enclosed courtyard for the one bedroom unit.

1.3 The credentials of the proposed new units are considered in 'Quality of Accommodation' below.

Revisions

1.4 During the course of the application the proposal has been amended. A proposed full height window and roof terrace at the rear have been omitted and the dormers at the front and rear (4) have been reduced in size and amended in design and are now considered acceptable.

2 ASSESSMENT

2.1 The material considerations for this application are as follows:

- The principle of the development
- Affordable Housing
- Dwelling size and mix
- Quality of the proposed accommodation
- The effects on the character and appearance of the Conservation Area
- The effects on the amenity of surrounding occupiers
- Transport/highways issues

2.2 The principle of the development

2.2.1 The building previously comprised a 'House in Multiple Occupation' (sui generis) and three flats. There would be a change of use from sui-generis (HMO) to flats (Class C3) and policy H10 (Housing with shared facilities (Houses in Multiple Occupation) of the Local Plan is applicable. With regard to existing HMO's the policy allows for a change of use if 'i. the development provides self-contained social affordable rented homes'. Also, 'where the Council is satisfied that a development involving the net loss of homes with shared facilities is justified, we will expect it to create an equivalent amount of floorspace for permanent self-contained housing, secured as a long term addition to the supply of low cost housing, or otherwise providing an appropriate amount of affordable housing, having regard to policy H4'.

2.3 Affordable Housing

2.3.1 Policy H4 requires a proportion of all new dwellings in the Borough to be affordable. The Council will seek a maximum reasonable amount of affordable units within new housing proposals and for proposals comprising ten or more units the affordable housing should be provided on site; the preferred tenure mix is 60% social rented and 40% intermediate.

2.3.2 In this instance all the floorspace which was last used as a HMO would be converted into affordable housing (in accordance with policy H10) and an element of London Affordable Rent housing would be provided. There would be 2 x London Affordable Rent (LAR) units and 8 x Intermediate Rent (IR) units. Whilst the split is not the 60/40% split between LAR and IR, stated in policy H4, the arrangement is considered to be acceptable due to the somewhat challenging configuration of the building. The 2 x LAR units would be sited on the ground level with access to some (limited) amenity space and the proposal is considered to make a satisfactory contribution to the provision of affordable housing in accordance with policy H4 and therefore to justify the loss of the former HMO under policy H10.

2.3.3 The provision and retention of the units as affordable housing would be secured by legal agreement.

2.4 Dwelling size and mix

2.4.1 The Dwelling Size Priorities Table (Table 1) of policy H7 (Large and Small Homes) notes a high need for 2 bedroom social affordable rented units (1 is proposed) and a high need for 1 bedroom intermediate units (9 are proposed). Consequently the proposal is considered to propose an appropriate mix of dwellings. The 2 bed LAR rented unit would be at ground level with access to two external courtyard areas (14.1 sqm and 7.8 sqm in area).

2.5 Quality of accommodation

2.5.1 The Schedule of Accommodation proposed v National Housing Standard size requirements are set out below:

Unit	Dwelling Type	Proposed Size (sq m)	National Housing Standard Requirement (sq m)
Lower ground (west)	2 bed 4 person	129	70
Lower ground (east)	1 bed 2 person	49	50
Ground (west)	1 bed 2 person	48	50
Ground (east)	1 bed 2 person	48	50
First (west)	1 bed 1 person	42	39
First (east)	1 bed 1 person	37	39
Duplex (2 storey)	1 bed 2 person	55	58
Second (west)	1 bed 1 person	43	39
Second (east)	1 bed 1 person	37	39
Third	1 bed 2 person	64	61

2.5.2 The two bedroom unit would comfortably exceed the minimum size requirement in the National Housing Standards. Six of the one bedroom units would fall short of the space standards but only by 1–3 sq m, which is considered acceptable given this is a conversion of an existing building. All the one bedroom units would have good sized bedrooms (minimum 11.1 sq m) and the living rooms would also be 13 sq m minimum. All the dwellings would be dual aspect with windows to all habitable rooms.

2.5.3 The existing building effectively occupies the entire site and the formation of terraces or balconies would arguably harm the appearance of the building in the townscape, the character and

appearance of the Conservation Area and result in overlooking issues in relation to adjoining sites. Given the proximity of Hampstead Heath (0.2 miles) it is considered that the proposal for no on-site private amenity space provision is acceptable for the proposal.

2.6 The effects on the character and appearance of the Conservation Area

2.6.1 Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.6.2 The external alterations which would be undertaken would be the enlargement of the front and rear dormers, the removal of two windows at second floor level on the rear elevation, the provision of a replacement (reduced) rooflight on the rear roofslope and the replacement of windows on a like-for-like basis, albeit double glazed. Also, on the ground floor at the rear reduced kitchen windows would be provided in the side elevations of the three storey rear outrigger.

2.6.3 The proposed dormers have been reduced in size and amended in design during the course of the application and they would be subservient in the roof and on the building, being set down from the ridge and up from the eaves and being three panes wide. There is a vast range of front and rear dormers on the buildings on the north side of Kemplay Road and the proposed design and style of the dormers would blend in in the streetscene and not detract from the architectural or historic merits of the building or the character or appearance of the Conservation Area.

2.6.4 The Design and Access Statement mentions that existing windows and doors will be replaced on a 'like-for-like' basis (albeit double glazed). There would therefore be no change in the appearance of the windows and doors.

2.6.5 The alterations to the sizes and positions of windows, including the removal of two windows at second floor level on the rear elevation and the provision of a replacement (reduced) rooflight on the rear roofslope and reduced kitchen windows on the ground floor of the three storey rear outrigger would not impact or harm the appearance or heritage value of the building in the public domain.

2.6.6 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The size, scale, design and location of the proposed alterations, would ensure no harm is caused to the character of the host building and surrounding conservation area, in accordance with policies D1 and D2 of the Camden Local Plan.

2.7 Amenity

2.7.1 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. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.

2.7.2 The replacement front and rear dormers would be set within the roof slope. They would project

no nearer to any adjoining sites than existing windows and they would not result in any significant overshadowing, overlooking or loss of outlook from any neighbouring rooms or gardens.

2.8 Transport/highways issues

2.8.1 There are no existing car parking, cycle parking, waste or recycling storage areas on the site and the applicant has indicated that there is no space available on-site for any provision in the proposal. The Design and Access Statement notes that residents will be exempt from obtaining car parking permits, a contribution to the provision of street cycle parking facilities will be made and that waste and recyclables will be stored within the individual units until collection day.

2.8.2 A car free development is in accordance with NPPF, London Plan and LB Camden policies for reducing car use and encouraging sustainable transport and planning permission could be granted subject to a legal agreement preventing future occupiers from obtaining car parking permits.

2.8.3 The Council's Transport Officer has indicated that a contribution of £7,696 should be secured for the provision and upkeep of 12 on-street 'long-term' cycle parking facilities and £255 for two on-street 'short-term' cycle parking stands. A contribution of £2,958.7 should also be made to the Transport Management Order associated with the transport changes.

3.0 Recommendation:

3.1 Grant conditional planning permission subject to a legal agreement to secure:

- Affordable housing (2 x London Affordable Rent units and 8 x Intermediate Rent units)
- Car-free development
- Financial contribution for 2 bike hangar (12 spaces) and maintenance fee of £7,696 and Traffic Management Order and associated costs of £2,958.7 for the bike hangar
- Financial contribution for the provision of 2 short-stay cycle parking spaces in 1 Camden M / Sheffield stand of £255

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday April 12th 2021, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'

FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION

Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

**6-8 Kemplay Road
London
NW3 1SY**

Proposal:

Change of use from HMO (Sui Generis) to residential units (Class C3); conversion and alterations including replacement 'like-for-like' windows and doors, creation of amenity courtyards at rear and enlargement of the existing front and rear dormer windows. Change from 15 no. 1 person bedsits and 3 no. self contained 1 bed flats (hostel accommodation) to 9 no. affordable 1 bed and 1 no. affordable 2 bed self-contained units

Drawing Nos: 3542-MA: N-GF-M2-LGF-T01(2), N-GF-M2-GF T02(2), N-GF-1ST-T03(2), N-GF-2ND-T04(2), N-GF-3RD-T05(2), DR-EL-T00(2), DR-EL-T01(2), DR-SC-T01(2), DR SC-T02(2), DR SC-T03(2), Planning Statement, Design & Access Statement, Heritage Statement

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved drawings:

3542-MA: N-GF-M2-LGF-T01(2), N-GF-M2-GF T02(2), N-GF-1ST-T03(2), N-GF-2ND-T04(2), N-GF-3RD-T05(2), DR-EL-T00(2), DR-EL-T01(2), DR-SC-T01(2), DR SC-T02(2), DR SC-T03(2)

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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.

Yours faithfully

Supporting Communities Directorate