



PEACOCK+
SMITH

KK4 Ltd
Bird in Hand, 12 West End Lane, London, NW6 4NX

Planning Statement

August 2022

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1. Introduction and Background

1.1. This Planning Statement has been prepared by Peacock + Smith on behalf of our client, KK4 Ltd, to support an application for a scheme for the change of use and conversion of the former Bird in Hand Pub and its associated flat, to provide a single dwelling, and the erection of a five-storey building to provide nine new flats.

1.2. The description of the proposed development for which planning permission is sought is as follows:

Conversion of Former Bird in Hand Public House and associated flat to provide 1 no dwellinghouse, and erection of five storey building to the rear to provide 9 no flats, and associated landscaping, plant, refuse and cycle storage.

1.3 This Statement examines the relevant areas of planning policy at local and national levels and demonstrates that the proposed development is consistent with the requirements of key policy areas. More detailed matters are the subject of specialist technical reports.

1.4 The remainder of this Statement is as follows:

- Section 2 describes the site and sets out relevant planning history;
- Section 3 sets out the background, and provides a description of the proposed development;
- Section 4 provides a summary of relevant planning policy;
- Section 5 considers the key planning issues; and
- Section 6 summarises and concludes.

1.5 This Statement should be read in conjunction with the other documents submitted in support of the application, set out as follows:

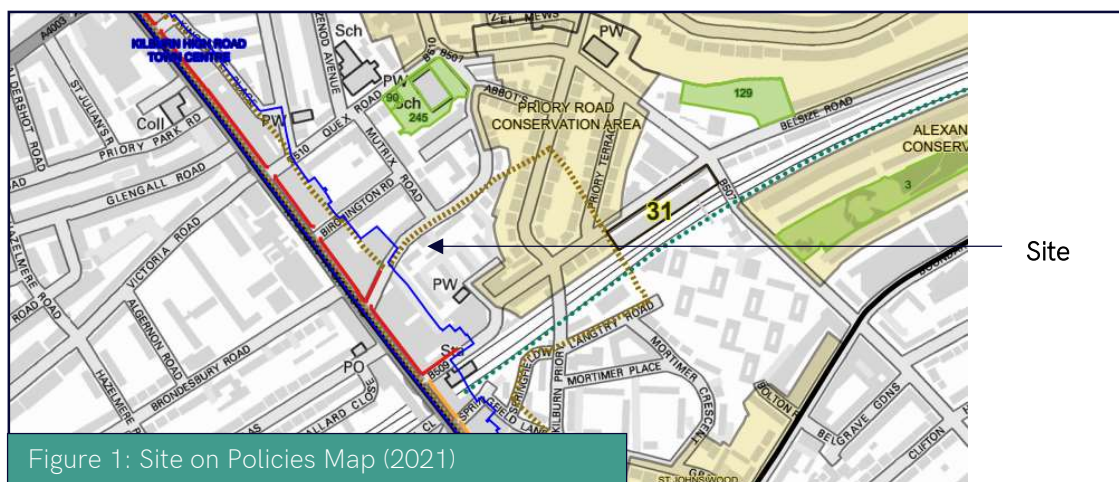
- Design and Access Statement, prepared by Metashape Architects
- Application drawings, prepared by Metasape Architects
- Air Quality Impact Assessment, prepared by Eight Associates
- Sustainability Statement, prepared by Eight Associates
- Energy Assessment, prepared by Eight Associates
- Desktop Archaeological Assessment, prepared by HCUK Group
- Construction Management Plan, prepared by London Building Company

- Daylight and Sunlight Assessment, prepared by Robinsons Surveyors
- Drainage Report and Flood Risk Assessment, prepared by Water Environment
- Landscape Scheme, prepared by Studio 413
- Transport Statement and Travel Plan, prepared by Vectos
- Viability Assessment, prepared by Douglas Birt Consulting
- Fire Statement, prepared by Scutum London Limited
- Health Impact Assessment, prepared by Peacock + Smith
- Phase I Desktop Study, prepared by Herts & Essex Site Investigations
- Phase II Environmental Report, prepared by Herts & Essex Site Investigations
- Geotechnical Report, prepared by Herts & Essex Site Investigations

2. Site Description and Planning History

Site Description

- 2.1 The site subject to this application is the former Bird in Hand Public House, located south of West End Lane, which is a predominantly residential street. The Bird in Hand has been vacant since 2003, and includes a public house at its ground floor and a single residential flat above. The former Bird in Hand fronts directly onto the pavement. Number 14 West End Lane sits alongside the former Bird in Hand Pub, forming its eastern elevation, however, this does not form part of the Application Site.
- 2.2 Whilst the wider area is predominantly residential, the site is in close proximity of Kilburn High Road Town Centre, which includes a number of local facilities including the Post Office, banks, and a range of retail stores and restaurants. Kilburn High Road Overground Station also sits on Kilburn High Road, circa 200m south of the Application Site, providing access to destinations such as Watford Junction and London Euston. There are also a number of bus stops along the length of Kilburn High Road, providing access to key destinations such as Cricklewood, Edgware and Golders Green. Given the high level of accessibility, the site is identified as having a high PTAL rating (6a).
- 2.3 An extract of Camden's adopted Policies Map (adopted 2017; updated 2021) is set out at Figure 1, with the site's location indicated. The site is within an Archaeological Priority Area (brown dotted line). As set out, the site is within close proximity of Kilburn High Road Town Centre (blue outline). The site is within reasonably close proximity of, but not within, Priory Road Conservation Area. There are no Listed Buildings or Scheduled Ancient Monuments within the vicinity of the site. The site is in Flood Zone 1.



Planning History

- 2.4 A search of the historic planning records relating to the site reveals that there are several planning applications at the site. However, these are understood to have been received and validated in 1998, and are therefore not considered relevant to the determination of the application.

3 The Proposed Development

- 3.1 This planning application seeks planning permission for a scheme for the change of use and conversion of the former Bird in Hand Pub and its associated flat, to provide a single dwelling, and the erection of a five-storey building to provide nine new flats to its rear.
- 3.2 The former Bird in Hand Pub will be redeveloped to form the single dwelling proposed. The existing pub facilitates the pub at the basement and first floor levels, and a three-bedroom flat is set across the second floor. The flat is currently occupied.
- 3.3 The proposed dwellinghouse will retain the existing four floors (basement, ground floor, first floor and second floor), and will provide three bedrooms (two double bedrooms and one single bedroom), two bathrooms, an open-plan kitchen-diner and living area, a WC/utility area, a study, a gym, a cinema room, in addition to ample storage space. A private garden is also proposed, positioned to the west of the dwelling, extending to 35sqm.
- 3.4 The basement level of the former Bird in Hand Pub is to be retained as existing in terms of its built form. The application does not propose any extension or modification to the basement, with the exception of basement tanking to all walls.
- 3.5 The proposal includes the erection of a five-storey building to the rear of the former Bird in Hand Pub, which will comprise nine flats. The flats and associated facilities will be set across five floors. The details of the flats proposed are provided at Table 1.
- 3.6 Each flat is provided with a balcony, offering private amenity space, in addition to the ground floor flat providing a private garden which extends to 23 sqm. In addition to the private amenity space provided, each flat will be afforded access to communal amenity space, located to the east of the building, which extends to 31 sqm.
- 3.7 A green and blue roof is proposed, which also incorporates PV panels, and Air Source Heat Pumps.
- 3.8 The proposals are available to view in full through the plans and Design & Access Statement, prepared by Metashape Architects, as well as the landscape plans, prepared by Studio 413.

Level	Flat No.	Room No./ Occupancy	Area (Sqm)
GF	G.01	2B4P	82
1	1.01	2B4P	80
1	1.02	1B2P	50
2	2.01	2B4P	70
2	2.02	1B2P	50
3	3.01	2B4P	70
3	3.02	1B2P	50
4	4.01	2B4P	70
4	4.02	1B2P	50

Table 1: Details of flats proposed

4 Planning Policy

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the determination of planning applications to be made in accordance with the statutory Development Plan, unless material considerations indicate otherwise.
- 4.2 The relevant development plan comprises:
- Camden Local Plan (2017)
 - The London Plan (2021)
- 4.3 The following are also material considerations which will have particular relevance in the determination of this planning application:
- The National Planning Policy Framework (2021)
 - National Planning Policy Guidance
- 4.4 Camden Council has also adopted a number of Camden Planning Guidance (CPG) documents, which represent material considerations in planning decisions. The following CPGs are of relevance to the application:
- Access for All (March 2019)
 - Air Quality (January 2021)
 - Amenity (January 2021)
 - Biodiversity (March 2018)
 - Community Uses, Leisure and Pubs (January 2021)
 - Design (January 2021)
 - Developer Contribution (March 2019)
 - Energy Efficiency and Adaption (January 2021)
 - Housing (January 2021)
 - Water and Flooding (March 2019)
- 4.5 A large proportion of the borough is subject to Neighbourhood Plans. On 3 June 2016 the London Borough of Camden and Brent Councils approved the designation of Kilburn Neighbourhood Area and Neighbourhood Forum. The Kilburn Neighbourhood Forum was redesignated for another five years on 28 January 2022. The site falls within the area boundary.

Statutory Development Plan

Camden Local Plan

- 4.6 The Camden Local Plan was adopted in July 2017 by Camden Council. This sets out the main policies and overarching themes which guide development.
- 4.7 **Policy G1** 'Delivery and location of growth' sets out that the Council will create conditions for growth to deliver homes, jobs, infrastructure, and facilities. It sets out that the plan seeks to meet Camden's assessed needs to 2031 for a range of development, including 16,800 additional homes. Policy G1 sets out that the most significant growth is expected to be delivered at highly accessible locations, noting Kilburn High Road.
- 4.8 **Policy H1** 'Maximising housing supply' reiterates the target for the provision of 16,800 additional homes between 2016/17 and 2030/31. The Council notes that the aim is to exceed the target for additional homes, particularly self-contained homes, by, inter alia, *'where sites are underused or vacant, expecting the maximum reasonable provision of housing that is compatible with any other uses needed on the site'*.
- 4.9 **Policy H4** 'Maximising the supply of affordable housing' sets out that the Council will expect a contribution to affordable housing from developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more.
- 4.10 **Policy H5** 'Protecting and improving affordable housing' sets out that the Council will aim to secure high quality affordable homes of different types and sizes to meet the needs of existing and future Camden households.
- 4.11 **Policy H6** 'Housing choice and mix' sets out that the Council will aim to minimise social polarisation and create mixed, inclusive and sustainable communities by seeking high quality accessible homes, and by seeking a variety of housing. The Council will seek to secure high quality accessible homes in all housing developments. Policy H6 sets out that the Council will:
- a. *'encourage design of all housing to provide functional, adaptable and accessible spaces;*
 - b. *expect all self-contained homes to meet the nationally described space standard;*
 - c. *require 90% of new-build self-contained homes in each development to be accessible and adaptable in accordance with Building Regulation M4(2); and*
 - d. *require 10% of new-build self-contained homes in each development to be suitable for occupation by a wheelchair user or easily adapted for occupation by a wheelchair user in accordance with Building Regulation M4(3).'*
- 4.12 **Policy H7** 'Large and small homes' sets out the Council's aim to secure a range of homes of different sizes to contribute to the creation of mixed, inclusive and sustainable communities.

- 4.13 **Policy C1** 'Health and wellbeing' sets out that the Council will require proposals for major development schemes to include a Health Impact Assessment (HIA).
- 4.14 **Policy C4** 'Public houses' sets out that the Council will seek to protect public houses which are of community, heritage or townscape value. Policy C4 sets out that the Council will not grant planning permission for proposals for the change of use, redevelopment and/or demolition of a public house unless it is demonstrated to the Council's satisfaction that:
- a. 'the proposal would not result in the loss of pubs which are valued by the community (including protected groups) unless there are equivalent premises available capable of meeting the community's needs served by the public house; or*
 - b. there is no interest in the continued use of the property or site as a public house and no reasonable prospect of a public house being able to trade from the premises over the medium term;'*
- 4.15 The policy continues by setting out that where a public house is converted to an alternative use, the Council will seek the retention of significant features of historic or character value.
- 4.16 It continues by setting out that where it has been demonstrated that a public house can no longer be retained, the suitability of the premises for alternative community uses for which there is a defined need in the locality should be assessed prior to the consideration of other uses.
- 4.17 **Policy C5** 'Safety and security' sets out that the Council aims to make Camden a safer place by tackling crime, fear of crime and antisocial behaviour. It sets out that developments should demonstrate that they have incorporated design principles which contribute to community safety.
- 4.18 **Policy C6** 'Access for all' sets out that Council's ambition to seek and promote fair access, expecting buildings to meet the highest practicable standards of accessible and inclusive design.
- 4.19 **Policy A1** 'Managing the impact of development' sets out that the Council will seek to protect the quality of life of occupiers and neighbours, noting that it will grant permission for development unless it causes unacceptable harm to amenity. The Council will:
- a. 'seek to ensure that the amenity of communities, occupiers and neighbours is protected;*
 - b. seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities;*
 - c. resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network; and*
 - d. require mitigation measures where necessary.'*
- 4.20 The factors that the Council will consider include:

- e. 'visual privacy, outlook;*
- f. sunlight, daylight and overshadowing;*
- g. artificial lighting levels;*
- h. transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans;*
- i. impacts of the construction phase, including the use of Construction Management Plans;*
- j. noise and vibration levels;*
- k. odour, fumes and dust;*
- l. microclimate;*
- m. contaminated land; and*
- n. impact upon water and wastewater infrastructure.'*

4.21 **Policy D1** 'Design' sets out that the Council will seek to secure high quality design, requiring that development, inter alia, respects local context and character; is sustainable in design and construction, comprises details and materials that are of high quality; integrates well with surrounding streets; incorporates outdoor amenity space; and provides a high standard of accommodation.

4.22 **Policy D2** 'Heritage' is of relevance owing to the site's position within an Archaeological priority area. In terms of archaeology, the policy is set out as follows:

'The Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.'

4.23 **Policy CC1** 'Climate change mitigation' sets out that the Council will require development to minimise the effects of climate change.

4.24 **Policy CC2** 'Adapting to climate change' sets out that all development should adopt appropriate climate change adaptation measures. It continues to set out that any development involving 5 or more residential units is required to provide a Sustainability Statement.

4.25 **Policy CC2** sets out that the Council will promote and measure sustainable design and construction by:

- e. 'ensuring development schemes demonstrate how adaptation measures and sustainable development principles have been incorporated into the design and proposed implementation;*
- f. encourage new build residential development to use the Home Quality Mark and Passivhaus design standards;*
- g. encouraging conversions and extensions of 500 sqm of residential floorspace or above or five or more dwellings to achieve "excellent" in BREEAM domestic refurbishment; and*
- h. expecting non-domestic developments of 500 sqm of floorspace or above to achieve "excellent" in BREEAM assessments and encouraging zero carbon in new development from 2019.'*

- 4.26 **Policy CC3** 'Water and flooding' sets out that the Council will seek to ensure that development does not increase flood risk and reduces the risk of flooding where possible.
- 4.27 **Policy CC4** 'Air quality' sets out that Air Quality Assessments (AQAs) are required where development involves significant demolition, construction or earthworks. It notes that appropriate mitigation measures are to be secured in a Construction Management Plan.
- 4.28 **Policy T2** 'Parking and car-free development' sets out that the Council will require all new developments to be car-free.

The London Plan (2021)

- 4.29 The London Plan was adopted in 2021 and is a material consideration for this application and is part of the Statutory Development Plan.
- 4.30 **Policy GG2** 'Making the best use of land' sets out that those involved in planning and development must, inter alia, prioritise sites which are well-connected by public transport and proactively explore the potential to intensify the use of land to support additional homes, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure, and amenities.
- 4.31 **Policy GG4** 'Delivering the homes Londoners need' sets out that those involved in planning and development must, inter alia, ensure that more homes are delivered.
- 4.32 **Policy D1** 'London's form, character and capacity for growth' sets out that boroughs should plan to meet borough-wide growth requirements, including their overall housing targets.
- 4.33 **Policy D3** 'Optimising site capacity through the design-led approach' sets out that development should make the best use of land by following a design-led approach to optimise the capacity of sites. Policy D3 sets out that development proposals should enhance local context by delivering buildings that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape.
- 4.34 **Policy D4** 'Delivering good design' is of relevance to the proposal, noting that Design and Access Statements should demonstrate that the proposal meets the requirements of the London Plan.
- 4.35 **Policy D5** 'Inclusive design' sets out that development should achieve the highest standards of accessible and inclusive design.

- 4.36 **Policy D6** 'Housing quality and standards' sets out that housing development should be of high-quality design and provide adequately sized rooms (in line with the London Plan's Table 3.1) with comfortable and functional layouts which meet the needs of Londoners. The policy goes on to set out that the design of development should provide sufficient daylight and sunlight to new and surrounding housing, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space. The policy notes the importance of accessible storage space.
- 4.37 **Policy D6** elaborates on the requirements for private internal space, setting out that dwellings should provide the gross internal floor area and built-in storage area set out in Table 3.1. An extract of the relevant aspects of Table 3.1 is provided below.

Type of dwelling		Minimum gross internal floor areas and storage	
Number of bedrooms	Number of bed spaces (persons)	1 storey dwellings	Built in storage
1b	2p	50	1.5
2b	4p	70	2

Table 2: Extract of the London Plan (2021) Table 3.1

- 4.38 **Policy D6** sets out in regard to private outside space that where there are no higher local standards a minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings, with an extra 1sqm provided for each additional occupant and must achieve a minimum depth and width of 1.5m.
- 4.39 **Policy D11** 'Safety, security and resilience to emergency' emphasises the requirement to protect new development from emergencies including fire, flood and weather, inter alia, as well as the importance of working with local Metropolitan Police Service 'Design Out Crime' officers.
- 4.40 **Policy D12** 'Fire safety' sets out that development proposals must achieve the highest standards of fire safety.
- 4.41 **Policy H1** 'Increasing housing supply' sets out the importance of meeting the ten-year housing completion targets. The London Plan's Table 4.1 sets out that Camden's ten year housing target is 10,380.
- 4.42 **Policy H2** 'Small sites' sets out that boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares). Table 4.2 sets out that Camden's 10 year target (2019/20-2028/29) for net housing completions on small sites is 3,280.

- 4.43 **Policy H10** 'Housing size mix' sets out that schemes should consist of a range of unit sizes.
- 4.44 **Policy HC1** 'Heritage conservation and growth' relates to a range of heritage assets, including assets of archaeological significance. The policy sets out that development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. The site is within a Tier 2 Archaeological Priority Area (APA). Tier 2 is a local area with specific evidence indicating the presence, or likely presence, of heritage assets of archaeological interest.
- 4.45 **Policy HC7** 'Protecting public houses' sets out that applications that propose the loss of public houses with heritage, cultural, economic or social value should be refused unless there is authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future.
- 4.46 **Policy SI12** 'Flood risk management' sets out that development proposals should ensure that flood risk is minimised and mitigated.
- 4.47 **Policy T5** 'Cycling' sets out that appropriate levels of cycle parking should be provided, which should be fit for purpose, secure and well-located. Policy T5 sets out that developments should provide cycle parking at least in accordance with the minimum standards set out in the London Plan's Table 10.2. Table 10.2 provides that long-stay cycle parking associated with dwellings should be provided at a rate of 1.5 spaces per 2 person 1 bedroom dwelling, and 2 spaces per all other dwellings. It requires that short-stay cycle parking associated with developments of between 5 and 40 dwellings should be provided at a rate of 2 spaces.
- 4.48 **Policy T6** 'Car parking' sets out that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. The policy sets out that car-free development should be the starting point for all development proposals in places that are well-connected by public transport.
- 4.49 **Policy T6.1** 'Residential parking' sets out that new residential development should not exceed the maximum parking standards set out in the London Plan's Table 10.3. Table 10.3 provides that all developments within PTAL 5-6 should be car free.

Other Material Considerations

- 4.50 As well as the Statutory Development Plan policies, there are other relevant policy considerations which are material to the consideration of this planning application. This includes a plethora of adopted CPG documents, and the National Planning Policy Framework (NPPF) (2021).

Access for All CPG

- 4.51 The Access for All CPG sets out the importance of the inclusivity in the design of new buildings.

Air Quality CPG

- 4.52 The Air Quality CPG sets out that all of Camden is in a designated Air Quality Management Area (AQMA), and in this regard, all developments should protect future occupants from exposure to poor air quality and limit their impact on local air quality.

Amenity CPG

- 4.53 The Amenity CPG provides information on key amenity issues, including overlooking, privacy and outlook, daylight and sunlight, artificial light, Construction Management Plans, noise and vibration, wind and micro-climate, and contaminated land.
- 4.54 The CPG sets out that developments should be designed to protect the privacy of occupiers of existing and proposed dwellings.

Community Uses, Leisure and Pubs CPG

- 4.55 The Community Uses, Leisure and Pubs CPG sets out its guidance in relation to public houses at Section 4. It notes that the Council will apply a presumption in favour of retaining pubs and their facilities. Robust evidence will be required to demonstrate that all reasonable options have been thoroughly explored where the loss of pub floorspace is proposed.

Design CPG

- 4.56 The purpose of the Design CPG is to promote design excellence and outline the ways in which developments can achieve high quality design.
- 4.57 It sets out that applicants should consider buildings in terms of:
- *'context*
 - *height*
 - *accessibility*
 - *orientation*
 - *scale and massing*
 - *siting*
 - *functionality and layout*
 - *detailing*
 - *materials'*

Developer Contribution CPG

- 4.58 The Developer Contribution CPG sets out that contributions can be secured through a Section 106 legal agreement or through the Community Infrastructure Levy (CIL) – both Camden CIL and Mayoral CIL.

Energy Efficiency and Adaptation CPG

- 4.59 The Energy Efficiency and Adaptation CPG sets out that all development in Camden is expected to reduce carbon dioxide emissions following the Council's energy hierarchy.

Housing CPG

- 4.60 The Housing CPG provides guidance on a number of matters in relation to the provision of affordable housing in Camden, as well as residential development standards, including accessibility.

Water and Flooding CPG

- 4.61 The Water and Flooding CPG sets out that developments are to be water efficient, and that residential developments are expected to meet the requirement of 110 litres per person per day.

NPPF (2021)

- 4.62 The revised NPPF was issued in 2021 and contains national planning policy on a variety of subjects and how these are expected to be applied.
- 4.63 The NPPF (Paragraph 2) requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise (Section 38 (6) of the Planning Compulsory and Purchase Act 2004).
- 4.64 The NPPF (Paragraph 8) confirms that the purpose of the planning is to help achieve sustainable development. There are three dimensions to sustainable development, which are:

An economic objective – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

A social objective – 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

4.65 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. It encourages Local Planning Authorities to positively seek opportunities to meet development needs (paragraph 11a), and to approve development proposals that accord with the development plan without delay (Paragraph 11c).

4.66 Part 5 of the NPPF, titled 'Delivering a sufficient supply of homes', sets out the national policies for meeting the Government's objective to significantly boost the supply of homes in England. Paragraph 60, specifically, states:

'it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.'

4.67 Part 11 of the NPPF which is entitled 'Making effective use of land' is of particular relevance to this proposal. Paragraph 120 states that planning policies and decisions should:

- a) *'encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*
- b) *recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
- c) *give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
- d) *promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and*
- e) *support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they 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.'

4.68 Parts c) and d) of this paragraph are of particular relevance in that these recognise the importance and encouraging the use of suitable, under-utilised sites and land in urban locations in order to provide new homes.

4.69 Paragraph 124 is also of relevance to this proposal. This requires that planning policies and decisions should support development that makes efficient use of land. It requires that the following are taken into account:

- a) 'the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.'*

4.70 Part 12 of the NPPF is entitled, 'Achieving well-designed places'. Paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

4.71 Areas of Paragraph 130 are also of relevance to the consideration of this application. It requires that planning policies and decisions should ensure that developments:

- a) 'will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where*

crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

5 Planning Considerations

5.1 Based on the preceding sections, and in response to the advice provided by officers at pre-application stage, the principal planning considerations are:

- The Principle of Development
- Design Considerations
- Residential Amenity
- Flood Risk
- Energy and Sustainability
- Access, Transport and Parking
- Archaeology
- Air Quality
- Fire Safety
- Contamination
- Developer Contributions
- Health Impact Assessment

5.2 We consider each of these, in turn, below.

The Principle of Development

5.3 This application seeks planning permission for the conversion of the former Bird in Hand Public House and associated flat, to provide one dwellinghouse, and the erection of a five-storey building to its rear to provide 9 no. flats. The three-bedroom dwellinghouse proposed will provide accommodation for 5 people. Of the 9 no. flats proposed, 4 will provide one bedroom for two people, and 5 will provide two bedrooms for four people.

5.4 The application site is situated in a sustainable location, 250m walking distance from Kilburn High Road Overground Station, providing regular services between London Euston and Watford Junction. The site is also a short walk to a number of bus stops, providing services to key destinations such as Cricklewood, Edgware and Neasden. The site has a PTAL rating of 6a as a result of the numerous public transport connections in its vicinity. In this respect, the site is a prime opportunity for infill housing development within the existing residential area.

5.5 As set out, the development proposes a total of nine flats, including 4 no. 1B2P units, and 5 no. 2B4P units. The proposal also involves the refurbishment of the existing Bird in Hand Public House, to provide 1 no dwellinghouse, offering accommodation for 5 people across 3 bedrooms.

Given site's PTAL rating of 6a, this accords with the requirements of London Plan Policy H10 'Housing size mix', which emphasises the demand for one and two bed units within areas with better areas of better public connectivity. The proposed development also contributes to meeting the aims of Local Plan Policy H7 'Large and small homes', providing a total of six no. 2 and 3 bedroom homes, which are noted as a high priority in the borough.

- 5.6 The redevelopment of this site is entirely consistent with the relevant Development Plan policies, including Policy G1, and the relevant areas of the NPPF which encourage the provision of new housing in highly accessible and sustainable locations. The proposal will also contribute to meeting the ambitions of Local Plan Policy H1 'Maximising housing supply' and London Plan Policy GG4 'Delivering the homes Londoners need', which aim to secure an efficient supply of homes to meet the needs of existing and future households by maximising the supply of housing.
- 5.7 It is also relevant that the proposed development would make efficient use of land. The proposed development would return what is currently a vacant area of land to active use, realising tangible benefits in the form of new housing built to a high standard of design and while making efficient use of the land available. This contributes to meeting the ambitions of Chapter 11 of the NPPF, 'Making effective use of land', in addition to London Plan GG2 'Making the best use of land'.
- 5.8 Notably, London Plan Policy H2 'Small sites' sets out that boroughs should support the provision of well-designed new homes on small sites (below 0.25 hectares). Given that the site area is 0.04ha, the principle of residential development should be supported.

Loss of Bird in Hand Public House

- 5.9 The pre-application advice received July 2014 set out that providing that the loss of the public house was considered acceptable and residential development would be likely to be considered acceptable. In addition to this, Local Plan Policy C4 'Public Houses', London Plan Policy HC7 'Protecting Public Houses', and the Council's Community Uses and Pubs CPG set out the need to protect and guard against the loss of pubs in the borough.
- 5.10 In the initial pre-application meeting, which took place in June 2020, officers encouraged the applicant to explore the needs of the local community and gauge if there was a need for such a use. It was suggested that the applicant approach the Abbey Community Centre to understand their current provision and needs/aspirations for further facilities. The Abbey Community Centre were contacted by the applicant in August 2020. The centre noted that their capacity (prior to the pandemic and national lockdown) was comfortable and they were in the process of slowly re-opening the centre. It was mentioned that there was an intention to vacate the current facility

and occupy a new purpose-built facility in 2022. It is our understanding that this is a Camden Council-led scheme.

- 5.11 It is understood that the new centre will form part of the Abbey Road redevelopment, specifically within Phase 2. Camden were contacted in May 2022 in order to understand the scheme's progress and intended opening date. Camden Council's communications and consultation manager advised that Phase 2 was currently under construction and the anticipated completion date for the community centre is July 2022 with official opening of the centre to occur soon after.
- 5.12 On account of the above, it is considered that it has been adequately demonstrated that the public house can no longer be retained in this use. The suitability for an alternative community use has been assessed and it has been demonstrated that there is no local need for increased provision. The loss of the Bird in Hand Pub is considered acceptable, and in accordance with the requirements of Local Plan Policy C4 'Public houses', London Plan Policy HC7 'Protecting public houses' and the 'Community uses, leisure facilities and pubs' CPG.

Affordable Housing Statement

- 5.13 Camden Council have a 'small sites' policy in relation to the provision of affordable housing and require a contribution where proposals involve one or more additional homes and a total additional to residential floorspace of 100sqm GIA or more. For developments that propose fewer than 10 dwellings, the Council will accept payment-in-lieu of affordable housing.
- 5.14 In the pre-application response dated August 2020, the following was advised:

'In its current form, the proposal would provide new residential accommodation of 10 dwellings, and an additional residential floor space of 941sqm. It may therefore be appropriate for a payment in lieu in compliance with the Camden Local Plan.'

- 5.15 On account of the fact that the proposal will provide a net increase in 9 units, it is considered that a payment in lieu would provide an acceptable means of provision of affordable housing and would meet the requirements of the Policy provision as set out in Local Plan Policy H4 'Maximising the supply of affordable housing', and the relevant sections of the Housing CPG.
- 5.16 A Viability Assessment, prepared by Douglas Birt Consulting, is submitted with the application. This Assessment sets out that total financial planning obligations would amount to £446,000, based on a calculation including both Council and Mayoral CIL, carbon offset tax and Council monitoring/legal fees.

- 5.17 The Assessment sets out that given the scheme generates a Developer's Return of 13.3% on GDV, which is lower than the accepted threshold of 17.5%-20%, which has been observed in viability reviews in recent years, the scheme is making more than the maximum planning obligations. In this regard, it will not be viable for the scheme to provide an affordable housing in-lieu payment until it can generate at least 17.5% Developer's Return on GDV.

Summary

- 5.18 The application seeks planning permission for the redevelopment of what is currently a largely vacant site, to provide a total of ten new dwellings, within a highly accessible location. The proposed development would return the small site to active use, realising tangible benefits in the form of new housing built to a high standard of design and while making efficient use of the land available and contributing to meeting the demand for housing in the borough.
- 5.19 The pre-application advice received July 2014 set out that providing that the loss of the public house was considered acceptable and residential development would be likely to be considered acceptable. Through demonstrating a sufficient supply of community facilities nearby, Peacock + Smith have demonstrated the acceptability of the principle of the development.

Design Considerations

- 5.20 The Design and Access Statement, prepared by Metashape Architects, provides details of the design of the scheme, including in relation to massing, scale and materials.
- 5.21 As detailed, the scheme has been amended in response to advice provided by planning officers, through multiple pre-application discussions (March 2020; July 2020; and January 2021), as well as in response to advice provided through a Design Review Panel (October 2021). In terms of design, key guidance that was provided related to the height and massing of the two elements of the scheme and the architectural approach, including choice of materials. This guidance has been crucial to the evolution of the scheme and has ultimately served to improve its design.
- 5.22 The proposed development includes the erection of a five-storey building, which will provide nine flats. This has been designed to ensure a high degree of architectural coherence with the existing buildings which form the Kilburn Vale Private Estate. The design of the proposed building broadly reflects that of the wider streetscape in terms of massing, proportions and building heights.
- 5.23 Given that the proposed development would introduce new development in the southern part of the site, it is evident that the extent of built form would increase. However, a comparison between

the proposed development and the surrounding buildings reveals that the increase in built form would not be out of keeping with its context. Holmesdale House, located to the east of the site, provides five storeys of residential accommodation, and a sixth floor provides a plant room, thus, representing a building of a vastly similar scale to that proposed. Moreover, meetings with the Design Review Panel and with the Council have demonstrated that five storeys would be appropriate in the context. The pre-application response, dated 14th July 2021, sets out in its assessment,

'In relation to the 5-storey structure (called the rear structure), this now shows more alignment with Bishopsdale House which is considered to better respond to the site and its surroundings.'

- 5.24 In its materiality, the proposed five-storey building would provide clear and well-defined elevations, using a simple palette of materials, which have been specifically selected to be consistent with the materiality evident in the local context. Red brickwork is predominantly used on the external walls, to complement the surrounding materials of the estate. The use of white brick complements the existing white elements within the estate, and provides horizontal emphasis whilst providing lighter and more defined balcony spaces. Subtle brick detailing provides architectural interest, and reflect the internal spaces externally, such as reverse brick coursing which defines the stair core.
- 5.25 The design of the new building proposed draws influence from the simple, geometric forms of the estate buildings. Its design and materiality have been carefully considered in order to complement the existing blocks of the Kilburn Vale Estate whilst not dominating the retained Bird in Hand Pub. Materials proposed have been sensitively selected to reflect the existing designs surrounding the site.
- 5.26 The retained Bird in Hand Public House building is proposed to be sensitively refurbished in order to protect the distinctiveness of the building. The pub's existing materials are proposed to be retained to ensure that its current character is retained. This includes the retention of the current tiled roof, the existing brickwork and glazed brick glass pub façade to the walls, and signage. The main door, at the northern elevation, is also proposed to be retained.
- 5.27 In summary, it is considered that the proposal interprets the existing character of surrounding buildings offering a contemporary interpretation of the existing properties and enhancing the area's character with its high-quality design. On account of the high quality of the design proposed, it is considered that the proposal meets the relevant design policies, including Local Plan Policy D1 'Design' and London Plan Policies D3 'Optimising site capacity through the design-

led approach' and D4 'Delivering good design', as well as the relevant aspects of the Design CPG and Chapter 12 of the NPPF (2021).

- 5.28 Accessibility for all has been a key consideration in the design of the proposed development. As set out within the Access Strategy at Section 9.1 of the Design and Access Statement, the dwellings have been designed in accordance with Part M of the Building Regulations, Camden's Access for All CPG (March 2019) and Design CPG (March 2021). All dwellings provide well-proportioned rooms, hallways and minimum 900mm wide circulation zones and accessible WC facilities. Kitchens, dining areas and living rooms have been designed to allow space for the turning of a wheelchair. In these regards, the proposal meets the requirements of Local Plan Policies H6 'Housing choice and mix' and C6 'Access for all', in addition to London Plan Policy D5 'Inclusive design'. The proposal also accords with the Council's Access for All CPG and the relevant aspects of the NPPF.
- 5.29 The submitted Design and Access Statement includes a Crime Impact Statement at Section 9.4. This summarises the discussions the measures which have been considered and incorporated into the scheme to ensure that it meets the required standards of safety. In this respect, it the proposal meets the requirements of Local Plan Policy C5 'Safety and Security', and London Plan Policy D11 'Safety, security and resilience to emergency'.
- 5.30 In summary, it is considered that the proposal interprets the existing character of the surrounding buildings, offering a contemporary interpretation of the existing properties and enhancing the area's character with its high-quality design. The proposed development meets the requirements of policies in relation to both accessibility for all and designing out crime, according with all relevant policies.

Residential Amenity

- 5.31 Residential amenity is considered in the following paragraphs, both in terms of the amenity of the prospective residents, and in terms of impacts on the amenity of neighbouring properties. This section demonstrates the proposal's compliance with relevant policy, including Local Plan policies A1 'Managing the impact of development', and D1 'Design', London Plan (2021) policies D3 'Optimising site capacity through the design-led approach' and D6 'Housing quality and standards', the Council's Amenity CPG, and the NPPF (2021).
- 5.32 As set out, the proposal includes 1 no. 3B5P dwellinghouse, 4 no. 1B2P flats, and 5 no. 2B4P flats. Each dwelling is proposed in accordance with the Internal Space Standards as set out within Table 3.1 'Minimum internal space standards for new dwellings' of the London Plan (2021).

- 5.33 In respect of private outdoor space, the dwellinghouse proposed includes a private garden extending to 35 sqm. The 2B4P ground floor flat is also proposed to benefit from a private garden, extending to 23 sqm. On the upper floors, each flat is afforded a balcony of 5 sqm or 7 sqm, and a 7 sqm terrace is proposed in association with the 2B4P flat at first floor level.
- 5.34 In addition to the private amenity space provided, 31 sqm of communal amenity space is provided for the benefit of the occupants of the flats. This is designed and situated in order to be easily accessed from all flats and is positioned as such to facilitate a good degree of overlooking, to maximise its safety.
- 5.35 In relation to both the private and community amenity space provided, as demonstrated by the landscape plans, prepared by Studio 413, it is evident that the spaces are each designed to a high specification. Each space providing external amenity space is surrounded by high fence walls to provide privacy to their users.
- 5.36 With reference to 'D&A Landscape Rev. C', External Space 1, the private amenity space associated with the proposed dwelling house, is proposed to provide a range of planting, including wall climbers, raised planters, and a raised herb bed. The space is designed as such to provide a flexible outdoor space.
- 5.37 External Space 2, the private garden associated with Flat G.01, provides a modern area, including both a patio area, and a slightly raised decking area. A reinforced glass balustrade forms a distinction between these two aspects of the garden. Integrated hardwood timber seating is provided along the garden's western boundary, and a range of planting is provided.
- 5.38 External Space 3 is provided as a communal residents' amenity space, adjacent to the main entrance and fronting the Kilburn Vale Estate. The amenity space is laid to lawn, with defensive shrub planting protecting ground floor windows. 3 no. fastigate flowering cherry trees are also provided.
- 5.39 Table 3 provides an overview of the internal areas and amenity space afforded to each dwelling. This also sets out the minimum floorspace requirements, as in the London Plan (2021). This demonstrates that the internal area afforded to each of the flats meets, and in some cases, exceeds, the minimum standards required. In respect of the minimum external amenity space provided, it is evident that the proposals show general conformity with the minimum requirements, in many cases, significantly exceeding the minimum space required. Generously proportioned communal amenity space is also provided for the use of the residents of the flats.

Unit	Floorspace proposed (sqm)	Minimum floorspace requirement (sqm)	Proposed amenity space (sqm)	Minimum amenity space requirement (sqm)
H.01 - 3B5P	191	99 (for 3 storey)	35	9
G.01 - 2B4P	82	70	23	7
1.01 - 2B4P	80	70	13	7
1.02 - 1B2P	50	50	5	5
2.01 - 2B4P	70	70	7	7
2.02 - 1B2P	50	50	5	5
3.01 - 2B4P	70	70	7	7
3.02 - 1B2P	50	50	5	5
4.01 - 2B4P	70	70	7	7
4.02 - 1B2P	50	50	5	5

Table 3: Proposed internal floorspace and amenity space

- 5.40 The submitted Design and Access Statement, prepared by Metashape Architects, provides a Refuse Strategy. The Refuse Strategy sets out that recycling, general waste, food waste and garden waste storage facilities are provided to both the flat building, and to the dwelling house, in accordance with, or in excess of the required capacity, as set out within Camden's Design CPG (January 2021). The Refuse Strategy details that communal wheeled bins associated with the flats will be move from their storage space to West End Lane for collection on bin day by a janitor.
- 5.41 Owing to the small scale of the site, amenity impacts to both existing residents surrounding the development, and prospective residents have guided the design of the proposal. A key consideration of the design of the development is how it relates to the adjacent buildings, most notably, Bishopsdale House, west of the development site, and Holmesdale House, east of the site, but also including Marshwood House and Ribblesdale House, south of the site. This is in terms of overlooking and privacy, separation between buildings, and daylight and sunlight, all of which are key to the assessment of this proposal.
- 5.42 The development proposal is designed to protect the privacy of new and existing dwellings through the use of a number of features including obscure glazing to windows, and privacy screens to balconies to prevent direct overlooking.

- 5.43 The new build block is designed as such to maximise separation distances between itself and the existing blocks of flats. Furthermore, balconies are recessed within the building to minimise outlook to existing properties, and facades are set back to align with the existing blocks.

Daylight and Sunlight Assessment

- 5.44 A Daylight and Sunlight Assessment has been prepared by Robinsons Surveyors. This provides an assessment of the Proposed Development, having regard to 'Site Layout Planning for Daylight and Sunlight: a Guide to Good Practice (Second Edition)', published by the Building Research Establishment (BRE Guide). This is widely adopted as Policy. The Report provides assessments in terms of daylight, sunlight and overshadowing in respect of the Proposed Development, demonstrating those areas that comply with the BRE Guide. The Report confirms that Robinsons Surveyors are satisfied that the Proposed Development's impacts and internal amenity will be supportable.
- 5.45 The Assessment sets out that in some areas of the Proposed Development, whilst compliance with the aspirations of the BRE Guide is more challenging, the design is supportable on account of the fact that any derogations would not be inconsistent with what one would generally expect to find in a dense location, such as this site.
- 5.46 In respect of overshadowing, the Assessment confirms that overshadowing to all internal and surrounding amenity areas will comply with BRE Guidelines, in terms of the 2 hours sun on ground criteria. One shortfall is acknowledged (Area A1 within the Assessment's Appendix B). The Assessment confirms that this shortfall is '*clearly unavoidable and largely results from orientation [...]'*. The Report goes on to set out that as this is private amenity space, it can be supported, particularly as other areas to the scheme provide such high levels of compliance.
- 5.47 With regard to the daylight and sunlight afforded to the neighbouring properties, the Daylight and Sunlight Assessment provides that with the exception of several properties, the daylight and sunlight amenity to all neighbouring properties will be compliant with the aspirations of the BRE Guide for suburban locations. Properties assessed include odd numbers at 13 - 19 West End Lane, Holmesdale House, Marshwood House, Bishopsdale House, Lorton House and Ribblesdale House.
- 5.48 In the case of the properties where the aspirations of the BRE Guide for suburban locations are not met, the Assessment provides justification on a case-by-case basis for why the shortfalls are acceptable. This includes the fact that whilst they do not meet the VSC daylight aspirations for suburban environments, they remain above the targets for dense urban environments, such as

this. Additional justification includes that where windows fall short of the targets, the rooms they serve are multi-aspect, and therefore served by additional windows, and are thus, fully supportable in terms of daylight distribution. Finally, the BRE Guide suggests only testing habitable rooms; the report sets out that a number of rooms investigated are commonly not considered habitable (e.g. small kitchens).

Construction Management Plan

- 5.49 A Construction Management Plan (CMP), prepared by London Building Company, is submitted in support of the application. This document outlines the construction programme and phasing and details how public areas will be protected from construction activity. The CMP covers a range of issues, including noise, air quality, migrating dust and dirt pollution and materials. In summary, the CMP will serve to provide information on the proceedings and measures employed to ensure the safety of construction staff and the general public throughout the construction phase.

Summary

- 5.50 It is considered, on account of the justification set out in the preceding sections that the residential amenity, both in terms of the amenity of prospective occupants, and the amenity of neighbouring properties is acceptable. This is considered particularly in terms of minimum space standards, amenity space standards, daylight and sunlight, privacy and overlooking.
- 5.51 In this regard, the Proposed Development is considered to meet the relevant policy requirements, including Policy A1 'Managing the impact of development' and Policy D1 'Design' of the Local Plan (2017) and Policy D3 'Optimising site capacity through the design-led approach' and Policy D6 'Housing quality and standards' of the London Plan (2021), Camden's Amenity CPG (January 2021) and the relevant aspects of the NPPF (2021).

Flood Risk

- 5.52 As set out, a Flood Risk Assessment (FRA) and Drainage Report, prepared by Water Environment, is submitted in support of the application. This is on account of the fact that, whilst the site falls within Flood Zone 1, it sits within a Critical Drainage Area (CDA), and consequently the LPA requires that the application is supported by a FRA.
- 5.53 The Report provides a FRA for the site, compliant with relevant guidelines, including National Planning Policy Framework and Planning Practice Guidance. It assesses the risk and implications of flooding at the site, including from tidal, fluvial, groundwater, surface water runoff and artificial sources. The Report provides design advice to ensure the safe operation of the site in

the event of a flooding event. Potential future climate change over the lifetime of the proposed development is considered. The Report considers pre and post development drainage systems and calculates pre and post development runoff rates and volumes. Finally, the Report provides advice on the management of surface water runoff at the site.

- 5.54 The Report concludes that whilst the surface water flood maps show the site to have a flood water level of 33.1m AOD, the new building portion of the development will raise FFL by 300mm above the flood water level. The FFL of the new portion of the development will be 33.4m AOD.
- 5.55 In respect of the refurbished pub building, the Report sets out that it will include property flood resilience to prevent the ingress of surface water flooding. The building will also be designed to ensure quick recovery after a flood event.
- 5.56 The Report notes that SuDS are proposed to be implemented to ensure that surface water rates from the site do not increase in a 1 in 100 year plus 40% event. Further, the proposal is to implement a green roof with 150mm substrate and a 5cm deep blue roof, which will ensure that the development can discharge surface water at 2 l/s with no flooding occurring on site and no increased risk to others.
- 5.57 Ultimately, the Report concludes that the development can be made safe from flooding and that the inclusion of SuDS ensures that the site does not increase surface water rates post development.
- 5.58 On account of the above, the proposal meets the requirements of Local Plan Policy CC3 'Water and flooding', London Plan Policy SI12 'Flood risk management', and the Water and Flooding CPG, in addition to the relevant aspects of the NPPF (2021).

Energy and Sustainability

- 5.59 The proposed development, both the refurbished pub aspect and the new build aspect, are designed with specific regard to ensuring sustainability and energy efficiency.
- 5.60 The Sustainability Statement, prepared by Eight Associates, in support of the proposed development sets out the key measures incorporated into the development scheme to achieve a low carbon development. The Statement addresses the following key areas of sustainable design and construction: Energy and CO₂, adaptation to climate change, flood risk mitigation and SuDs, waste, water efficiency, transport and connectivity, materials, health and wellbeing, and land use and ecology. Full details are provided within the Sustainability Statement itself.

- 5.61 Water efficiency is addressed through water conservation. The Sustainability Statement sets out the design team's commitment to achieving a water consumption target of 110 litres per person per day. Moreover, the Statement sets out the means through which water consumption will be reduced, including low-flow showerheads and taps, dual flush toilets and low water consuming washing machines and dishwashers.
- 5.62 Full details in relation to the scheme's energy strategy are set out within the Energy Assessment, prepared by Eight Associates. However, the Sustainability Statement summarises the position, setting out that total carbon emissions will be reduced by 36.0% and 68.5% over Building Regulations using SAP 2012 and draft SAP 10.0 carbon dioxide emission factors, respectively, thus meeting and exceeding the target of overall 35% carbon reduction over Part L Building Regulations. In this regard, the Sustainability Statement confirms that the proposed development is in accordance with London Plan Policy S12 and Camden's Policy CC1.
- 5.63 Active design measures include the use of 20 no. photovoltaics (PVs) with a peak output of 7.0kWp per panel, Air Source Heat Pumps (ASHPs) and a blue green roof. All units within the flat block are dual aspect, to provide cross ventilation and to moderate internal temperatures, among other benefits. High levels of thermal insulation are proposed in order to increase building envelope efficiency, and reduce heat loss and energy consumption.
- 5.64 As set out above, a detailed Energy Assessment, also prepared by Eight Associates, is prepared in support of the application. The Energy Assessment demonstrates that climate change mitigation measures comply with London Plan energy policies, including the energy hierarchy. The Assessment confirms that the scheme achieves an improvement of 68.5% through on-site measures, including the communal Air Source Heat Pumps and PV panels. Finally, the Assessment confirms that the zero-carbon target can be achieved through a cash in lieu contribution to the borough's carbon offset fund, which is calculated as £15,210.
- 5.65 In light of the above, through the use of passive and active design features, the proposed development will achieve a minimum on-site CO₂ reduction of at least 35% beyond Building Regulations. It is therefore considered that the proposed development exceeds the requirements of Policies CC1 and CC2 of the Local Plan, in addition to the Energy Efficiency and Adaptation CPG (January 2021).

Access, Transport and Parking

- 5.66 As set out, the site falls within an area with a PTAL rating of 6a, which is the second highest possible score. Given this, the development is proposed to be car free. This is in accordance with

the Local Plan Policy T2 and the London Plan Policy T6.1 and its associated table, Table 10.3 'Maximum residential parking standards'.

- 5.67 Specifically on account of the lack of car parking facilities provided, safe and convenient cycle parking has been a key consideration in the design of the proposal. 22 no cycle parking spaces are proposed in association with the nine flat units, which are proposed to be situated within the ground floor. Two cycle parking spaces are provided in association with the dwelling house.
- 5.68 The proposal provides cycle parking in excess of the minimum requirements as set out within Policy T5 and Table 10.2 'Minimum cycle parking standards' of the London Plan (2021), which require 18 no. long-stay spaces and 2 no. short-stay spaces.
- 5.69 A full assessment of the vehicle and cycle parking provision and the transport implications of the proposal is provided in the Transport Statement, prepared by Vectos, which forms part of the application. Details of trip generation and vehicle ownership demonstrate that the development is acceptable from a transport perspective.
- 5.70 A Trip Generation exercise was undertaken to estimate the total person trips generated by the proposed development, and considers the impact they would have on the local transport networks. The exercise demonstrates that the low level of person trips would not result in a material impact. Moreover, the Trip Generation exercise demonstrates that on account of the fact that the Proposed Development is car free, only servicing and delivery vehicles will serve the site on a daily basis. This is predicted to be at a rate of 2 daily servicing and delivery vehicles.
- 5.71 The Transport Statement confirms that there are no transport reasons why planning permission should not be granted.
- 5.72 In addition to the Transport Statement, a Travel Plan Statement has been prepared in support of the application, the aim of which is to set out the management tools necessary to inform residents and visitors about their travel. The objectives are to reduce the need to travel to and from the site, particularly during peak hours, to increase awareness of the choice of travel modes and promote social inclusion, promote the benefits of sustainable modes of transport, and provide clear information regarding alternative modes of transport available. The Travel Plan Statement concludes that the proposed development accords with all relevant policy from a transport perspective.
- 5.73 On account of the above, the proposal meets the requirements of Local Plan Policy T2, in addition to the relevant policies of the London Plan (2021), and the Access for All CPG.

Archaeology

- 5.74 As set out, the site falls within one of the borough's Archaeological Priority Areas, and as such, a Desktop Archaeological Assessment has been prepared by HCUK Group and submitted with the application. The report concludes by setting out an assessment of the archaeological potential of the site, an assessment of the significance of any archaeological remains that may be present, and an assessment of the likely effects of the proposed development on heritage assets, both in terms of physical impact and (where relevant) change to setting.
- 5.75 The Archaeological Assessment concludes that the site is considered to have medium potential for archaeological remains associated with the Roman, medieval, and post-medieval periods. The potential for archaeology associated with all other periods is considered to be low. Given the proximity to course of Watling Street, the Assessment notes that there is potential for finding evidence of Roman activity at the site, which could be associated with roadside activity during this time.
- 5.76 The Assessment concludes that it is unlikely that the site lies within the precinct of the medieval Kilburn Priory, or the medieval settlement of Kilburn. The Assessment sets out that the site is situated on the course of the Kilburn Stream, which runs underground through the site. In this regard, there is potential for archaeological remains to be present at the site.
- 5.77 The Assessment explores the archaeological significance of the former Bird in Hand public house owing to the fact that it will be retained as part of the proposed development. The Assessment cautions that the building may contain fabric of archaeological significance which may require recording prior to any refurbishment.
- 5.78 The Assessment sets out that the significance of archaeological remains at the site is considered to range from negligible to medium.
- 5.79 The Assessment cautions that areas of significant impact on unknown below ground archaeological remains and deposits are likely to be in the footprint of the proposed flat building. It notes that substantial excavations are expected to be required. As such, the Assessment advises that the scope of further archaeological works that would be needed in advance or during the development of the site should be discussed and agreed with the Greater London Archaeology Advisory Service.
- 5.80 In respect of the above, the proposal meets the requirements of Policy D2 'Heritage' of the Local Plan, in addition to HC1 'Heritage conservation and growth' of the London Plan, and the relevant

aspects of the NPPF. The relevant policy requires that acceptable measures are taken, proportionate to the significance of the heritage asset to preserve them and their setting.

Air Quality

- 5.81 As set out, the entire borough of Camden is a designated Air Quality Management Area due to the high concentrations of nitrogen dioxide (NO₂) and particulate matter (PM₁₀). An Air Quality Assessment (AQA), prepared by Eight Associates, is submitted with the application.
- 5.82 The AQA establishes nearby sensitive receptors to air pollution, provides an assessment of air quality and dust impacts during the construction phase, establishes and reviews existing air quality, provides an evaluation of outline proposals against the Air Quality Neutral (AQN) benchmarks, provides an assessment of air quality impacts expected during the operation of new development and provides an assessment of the mitigation strategy to limit the exposure of building users and nearby receptors, to air pollution.
- 5.83 The Air Quality Impact Assessment concludes that whilst the unmitigated risk to local sensitive receptors from emissions of dust and pollution from construction is deemed to be low, the risk will be mitigated further through the measures set out in the Air Quality & Dust Management Plan (AQDMP), which will be implemented through the Construction Environmental Management Plan. The Assessment confirms that with these measures in place, the residual effects arising from the construction phase would be deemed 'not significant'.
- 5.84 Furthermore, whilst further mitigation measures to reduce exposure of future occupants to pollutants are not explicitly required, the design mitigation hierarchy has been applied nonetheless, to maximise air quality for occupants, where feasible. Measures include, provision of sustainable transport modes, such as cycling, integration of low carbon energy technologies, urban greening and a well-designed mechanical ventilation system.
- 5.85 On account of the above, the proposal meets the requirements of Policy CC4 of the Local Plan, in addition to guidance set out within the Air Quality CPG, the London Plan (2021) and additional relevant guidance.

Fire Safety

- 5.86 A Fire Safety Design Strategy has been prepared in support of the application, in accordance with Policy D12 of the London Plan (2012). The Strategy sets out the design measures which are incorporated into the scheme in order to guard against incidents of fire.

Contamination

- 5.87 A Phase I Desktop Study Report and subsequent Phase II Environmental Report have been prepared in support of the application. These documents set out a remediation strategy to mitigate contamination risk.

Health Impact Assessment

- 5.88 In accordance with Local Plan Policy C1 'Health and wellbeing', a Health Impact Assessment (HIA) has been prepared and submitted in support of the application.

Developer Contributions

- 5.89 As set out in the 'Affordable Housing' section of this Planning Statement, it will not be possible to provide an affordable housing in-lieu payment as the scheme falls short of the accepted threshold of 17.5%-20% on GDV. Planning obligations, including Council and Mayoral CIL, carbon offset tax and Council monitoring and legal fees, are approximated at £446,000.
- 5.90 In addition to this, the Energy Assessment, prepared by Eight Associates and outlined in the 'Energy and Sustainability' section of this Planning Statement sets out that the zero carbon target can be achieved through a cash in lieu contribution of £15,210 to the borough's carbon offset fund.
- 5.91 The precise value of developer contributions associated with the application will be discussed and agreed with the Council.

6 Conclusion

- 6.1 This planning application seeks planning permission for a scheme for the change of use and conversion of the former Bird in Hand Pub and its associated flat, West End Lane, NW6 4NX, to provide a single dwelling, and the erection of a five-storey building to provide nine new flats.
- 6.2 The dwelling proposed will provide accommodation for 5 people through the provision of 3 bedrooms. Five of the flats will provide accommodation for 4 people through the provision of 2 bedrooms, while the remaining four flats will provide accommodation for 2 people through the provision of 1 bedroom.
- 6.3 The principle of the development has been explored at pre-application stage and the local planning authority have indicated that a scheme of this nature would be supported providing that the loss of the pub is justified. The loss of the former Bird in Hand Public House is detailed and justified within Section 5 of this Planning Statement.
- 6.4 The provision of one dwellinghouse and nine flats is considered appropriate in the context of the site and the relevant areas of planning policy.
- 6.5 The scale and extent of the proposed buildings would be such that they would make efficient use of land whilst not representing overdevelopment of the site. A development of this scale and nature has been carefully designed in order to ensure that due regard has been had to the presence of buildings on adjoining sites. This form of development would not be harmful to the amenity of the neighbouring properties.
- 6.6 It has been demonstrated that the proposed development would be consistent with the relevant areas of the Development Plan and other material considerations and that there would not be any harm to amenity or other unacceptable impacts of the proposals. There are tangible positive benefits arising from the proposals which include the provision of high-quality, well-designed new housing, which enhances the visual amenity of the area as well as environmental improvements to the appearance of the site.
- 6.7 It is therefore respectfully requested that planning permission for the proposed development is approved subject to any conditions that the Local Planning Authority considers are necessary and appropriate.