

<b>Address:</b>	81 Belsize Park Gardens London NW3 4NJ		<b>4</b>
<b>Application Number(s):</b>	2023/3407/P	<b>Officer:</b> David Peres Da Costa	
<b>Ward:</b>	Belsize		
<b>Date Received:</b>	18/08/2023		
<b>Proposal:</b>	<p>Change of use from gym (Use Class E) to education use (Use Class F1) together with external alterations including: alteration to windows and insertion of windows to ground and first floor (1st and 2nd floor eastern windows opaque), creation of external side access with entrances relocated to east elevation following demolition of single storey structure, demolition and rebuild of eastern party wall, all to eastern elevation. Replacement of rooflight with saw tooth roof at front of building, raising of parapet wall, addition of rooflights, pv panels, green roof and roof plant, all at roof level. Insertion of window to ground floor front elevation following removal of existing porch structure and insertion of windows at first floor of front elevation. Erection of boundary wall with railings, cycle and bin stores at front of site, including associated hard and soft landscaping works.</p>		
<b>Background Papers, Supporting Documents and Drawing Numbers:</b>			
<p>Existing drawings: 4279 CDC XX: RL DR A (EX) 000 D; RL DR A (EX) 000 D; GR DR A (EX) 100 E; UG DR A (EX) 105; 01 DR A (EX) 110 E; RL DR A (EX) 120 E; 03 DR A (EX) 130 E; RL DR A (EX) 140 E; XX DR A (EX) 300 D; XX DR A (EX) 319; XX DR A (EX) 329; XX DR A (EX) 400 E; XX DR A (EX) 410 C; XX DR A (EX) 440</p> <p>Demolition drawings: 4279 CDC XX RL DR A (DM) 000 A; XX DR A (DM) 400 A; XX DR A (DM) 410 A</p> <p>Proposed drawings: 4279 CDC XX: DR A (GA) 430 C; RL DR A (GA) 140 N; 01 DR A (GA) 130 N; XX DR A (81) 400 G; ZZ DR A (81) 100 D; XX DR A (GA) 400 I; GR DR A (GA) 100 K; XX DR A (GA) 329; XX DR A (GA) 319; XX DR A (GA) 300 G; 01 DR A (GA) 120 I; 01 DR A (GA) 110 I; GR DR A (GA) 105 F; RL DR A (GA) 000; GF DR A (97) 100 G</p> <p>Supporting documents: Biodiversity Gain Plan and Urban Greening Factor Review prepared by MKA Ecology dated 16 August 2023; Nocturnal Bat Survey prepared by MKA Ecology dated 16 August 2023; Preliminary Ecological Appraisal and Preliminary Roost Assessment prepared by MKA Ecology dated 16 August 2023; Marketing Report prepared by DWD dated Aug 2023; Design &amp; Access Statement prepared by CDC Studio dated Aug 2023; Daylight and Sunlight Assessment prepared by T16 Design dated Aug 2023; Draft School Travel Plan prepared by Robert West dated Aug 2023; Delivery, Servicing and Refuse Management Plan prepared by Robert West dated Aug 2023; CMP pro forma completed by Robert West Consulting dated 16/08/23; Air Quality Assessment prepared by Phlorum dated July 2023; Preliminary BREEAM Assessment prepared by Eight Versa dated 27/02/2023; Energy &amp; Sustainability Statement prepared by Max Fordham dated 16 Aug 2023; Fire Planning Statement Rev C prepared by Osborn Associates dated Aug 2023; Flood Risk Assessment and Drainage Strategy P4 prepared by MHA Structural Design dated 22/1/24; Noise Impact Assessment prepared by Max Fordham dated 11 Aug 2023; Sustainability pro forma; Arboricultural Survey Impact Assessment &amp; Method Statement prepared by Marcus Foster dated Aug 2023; Urban Greening</p>			

Factor calculations; Response to Public Comments prepared by DWD dated 11/12/2023; Transport Assessment prepared by Robert West dated Dec 2023; Designing Out Crime Response prepared by CDC Studio dated 08/01/24; Security, Access Control & CCTV Level 00; 4279 CDC XX 00 DR A SK 001 240108 Rev A; SECURITY NEEDS ASSESSMENT prepared by Cornerstone dated 15 June 2023; 4279 CDC XX XX DR A (SK) 240105; DESIGN BRIEFING NOTE 01 - UNDERFLOOR COOLING prepared by Max Fordham dated June 2023; Planning Statement and Heritage Assessment prepared by DWD dated January 2024

**RECOMMENDATION SUMMARY:**

**Grant conditional planning permission subject to a Section 106 Legal Agreement**

<b>Applicant:</b>	<b>Agent:</b>
Dukes Education 5th Floor South 14-16 Waterloo Place London SW1Y 4AR	DWD 6 New Bridge Street London EC4V 6AB

**ANALYSIS INFORMATION**

Land use floorspaces				
Use Class	Description	Existing GIA (sqm)	Proposed GIA (sqm)	Difference GIA (sqm)
E	Commercial, Business and Service	1441	0	- 1441
F1	Learning and non-residential institutions	0	1311	+ 1311

Parking details			
Type	Existing spaces	Proposed spaces	Difference
Car	0	0	0
Cycle	0	32	+32

## EXECUTIVE SUMMARY

- i) The application site is a part 3, part 4 storey building on the southern side of Belsize Park Gardens. The former occupant, Springhealth Leisure Club, ceased trading in February 2017 and the building is vacant. The building is not a positive contributor, but the site is within the Belsize Conservation Area.
- ii) The proposal is for change of use from a gym (Class E) to education use (Class F1) together with various external alterations to the front and side elevations and at roof level. The site has been marketed for 3 years and the Use Class of the property 'Class E – commercial business and services' means that it could be used for a very wide range of other uses without planning permission including as a nursery. Taking account of this, the loss of the existing indoor sport, recreation use is considered to be acceptable.
- iii) The Fine Arts College is an independent school specialising in the arts and humanities. Its main site is located at 41-43 England's Lane (approx. 200m from the application site) and it also has another site at '81b Belsize Park Gardens, 24 Lambolle Place and Lancaster Stables', adjacent to the application site. This adjacent site is the subject of a concurrent application for a change of use of the ground floor from education to two flats (2023/5139/P). For the purposes of this assessment the applications are treated separately and the acceptability of the change of use at the application site does not depend on the outcome of the related application.
- iv) The conversion of the application site would result in the eventual increase in the total number of students at the College increasing from 240 students to 400 students. Approximately 200 students would be based at 81 Belsize Park Gardens and a further 200 would be located at England's Lane (where the current capacity is 180 students). Approximately 30 FTE staff would be based at each site.
- v) There would be minimal impact from the external alterations and plant on neighbouring amenity in terms of daylight and sunlight, noise, light spill and overlooking. A school management plan would be secured by legal agreement and student numbers would be capped at the application site.
- vi) The submitted Transport Assessment demonstrates that there would be minimal impact on transport infrastructure as the majority of students would travel to and from the site by sustainable transport modes. Transport contributions have been negotiated to help facilitate that and to manage the impacts of the development, this includes a Pedestrian, Cycling and Environmental Improvements contribution of £155,000, £20,000 for an electric vehicle charging point and bay and £20,000 for a CPZ review.
- vii) The transport contributions will deliver wider public benefits. In addition, the proposed alterations to the building would greatly improve the appearance of the property and enhance the conservation area. The proposed energy saving measures exceed policy targets with green roofs providing ambient cooling effects, reducing surface water run-off, and contributing to biodiversity.
- viii) The scheme complies with the development plan as a whole.

## OFFICER REPORT

### Reason for Referral to Committee:

Major development involving the provision of more than 1,000 sqm of non-residential floorspace [Clause 3(i)]

## 1 SITE AND BACKGROUND

- 1.1 The site is on the southern side of Belsize Park Gardens and is linear in form with a narrow frontage and forecourt facing onto Belsize Park Gardens. The site covers an area of approximately 819 sqm.

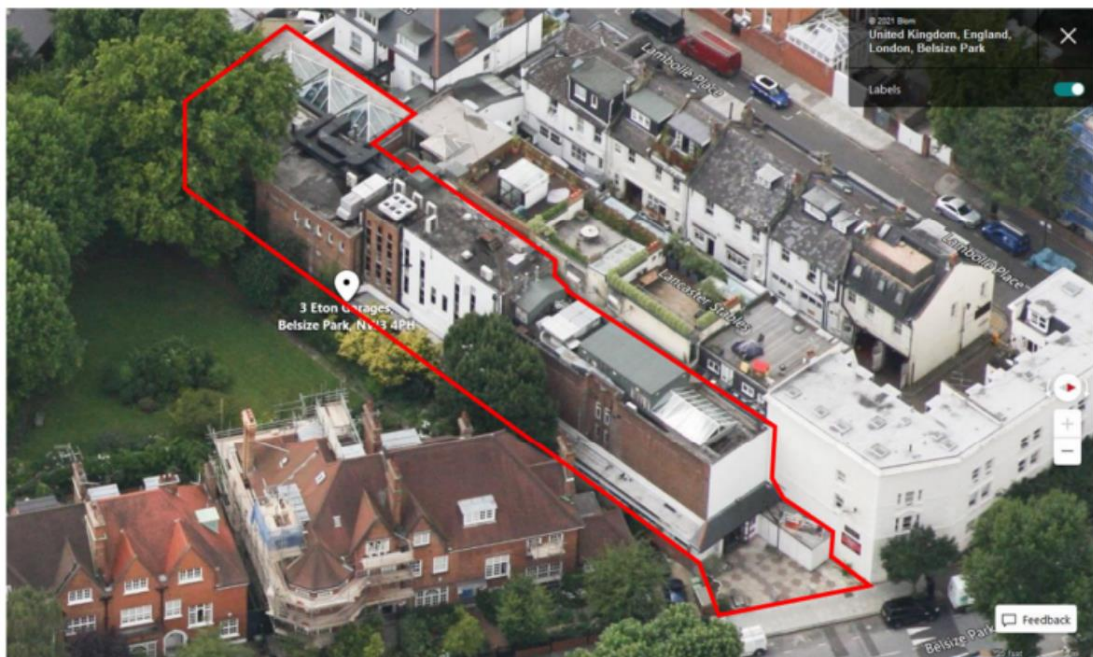


Figure 1 – The existing site

- 1.2 The site is occupied by a part 3, part 4 storey building. The existing use is a gym and leisure use (Class E). The former occupant, Springhealth Leisure Club, ceased trading in February 2017.
- 1.3 Immediately abutting the site to the west is the three- storey residential mews 'Lancaster Stables'. To the front of the site is a three-storey building (81a and b Belsize Park Gardens) in mixed use for education use at ground floor and residential above.
- 1.4 To the east of the site are two-to-three-storey residential properties on the southern side of Belsize Park Gardens (83-89 Belsize Park Gardens). Behind these properties and to the southeast of the site is a triangle of private amenity space which provides a communal garden for adjoining properties.

- 1.5 The site falls within the Belsize Conservation Area but is not identified as a building making a positive contribution to the area.
- 1.6 The site has a Public Transport Accessibility Level (PTAL) rating of 3 (moderate). The site is located close to Belsize Park, Swiss Cottage and Chalk Farm London Underground Stations, as well as 4 bus routes.
- 1.7 A strip of land on the east side of the application site falls outside the ownership of the applicant. Part of the strip is owned by 83 Belsize Park Gardens and part falls within the ownership of the communal garden. This strip of land will remain in the ownership of the neighbouring occupiers. The reason the strip of land is included in the application site is that tree pruning works are required and the land would be used during the construction phase, to help facilitate the works.

## **2 THE PROPOSAL**

- 2.1 The proposal is for change of use from a gym (Class E) to education use (Class F1) together with various external alterations including:
- New window openings at ground and first floor level on the side (east) elevation, new windows into existing window openings at first, second and third floor on the central part of the side elevation and glass blocks fitted to existing and proposed window openings on the southern part of this elevation (1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floor windows to side elevation opaque).
  - Creation of external side access to east elevation and entrance relocated to side (east) elevation following demolition of existing single storey structure.
  - Demolition and rebuild of eastern party wall.
  - Replacement of rooflight with saw tooth roof at front of building.
  - Raising of parapet wall on the southern part of the roof (by approximately 0.37m on east elevation and south elevation and by 0.60m on part of the south and west elevation).
  - Addition of 11 rooflights, 23 PV panels, green roof and roof plant.
  - Insertion of window to the ground floor front elevation following the removal of existing porch structure.
  - Insertion of windows at first floor of front elevation.
  - Erection of front boundary wall with railings, cycle and bin stores.
  - Landscaping including a replacement tree to the front of the site.
- 2.2 At the front of the site, there is a small triangle of land that currently forms part of the forecourt of the application site but is within the ownership of the neighbouring property (83 Belsize Park Gardens). The application proposes to rebuild the side boundary wall, so that it follows the land ownership boundary. This would involve removing the splay from the boundary wall and continuing it parallel with the remainder of the existing side boundary. The

triangle of land would be landscaped with gravel and would become part of the neighbouring property's driveway.

### 3 RELEVANT HISTORY

#### *The site*

- 3.1 **2020/4336/P**: Alterations to front and side (southeast) elevations incorporating new windows and entrance portico; replacement rooflights and installation of plant; removal of roof to form enclosed garden including acoustic barrier; and replacement store at front of site. Granted **18/05/2021**
- 3.2 **2020/4338/P**: Certificate of Lawfulness (proposed) Use of the property as a nursery (Use Class E). Granted **23/03/2021**. This was not implemented and the site remained vacant.
- 3.3 **2021/4743/P**: Application for Prior Approval under Part 3 (Change of Use) Class MA (commercial, business and service uses to dwellinghouses) of The Town and Country Planning (General Permitted Development (England) Order 2015 (as amended) to convert existing building into 3 x Duplex residential units. Granted Prior approval subject to Section 106 Legal agreement **09/03/2022**. This has not been implemented but remains extant until 09/03/25.

#### *Adjacent site (81b Belsize Park Gardens & 24 Lambolle Place)*

- 3.4 **2023/5139/P**: Change of Use of ground floor from college (Class F1) to 2 flats (1x 1-bed flat & 1x 2-bed flat) (Class C3) including installation of skylight to rear flat roof, insertion of 3 x windows to east elevation and alteration to north and west ground floor elevation (facing Lancaster Stables) to include inset windows with terraces, with metal screen, gate and planter in front. This application is currently being assessed.

### 4 CONSULTATION

#### *Local groups*

##### Belsize CAAC

- This building has been vacant and an eyesore for several years, it would be good to bring it back into use. It is not an easy building to reuse but this proposal manages it well. The application is well presented. It would be nice to have a bay window on the front to acknowledge the original. The bike and bins stores hide a lot of the front elevation. The 600mm increase in height to the rear parapet will cause a loss of light to 18C Lambolle Place. The mechanical plant on the roof must not inconvenience the neighbours in Lancaster Stables.

*Officer response: The proposal seeks to restore the building to its former architectural style, in a contemporary way. The proposed alterations to the front elevation draw on historic photographs of the building when it was first*

*completed. The front elevation would appear sympathetic to the host property and the conservation area. As such, the introduction of a bay window is not considered necessary in this instance for the scheme to be supported. The submitted daylight and sunlight report demonstrates that the daylight and sunlight impact on 18 Lambolle Place would not be noticeable. The submitted noise report states that the 'no observed adverse effect level' is predicted and therefore there would be no significant noise impact from the plant to the properties on Lancaster Stables.*

### **Adjoining occupiers**

- 4.1 Three sites notice were displayed, one on Belsize Park Gardens, one to Lancaster Stables (to the east of the site) and one to Eton Garages which adjoins the site to the rear. The notices were displayed on 1/11/23 until 25/11/23 and the application was advertised in the local paper on 2/11/23 (expiring 26/11/23).
- 4.2 Two letters of support were received from the occupiers of 58 Belsize Park Gardens and 81a Belsize Park Gardens.
- 4.3 Objections were received from 6 households at 4a, 6, 8, 10, 12 Lancaster Stables and 20 Lambolle Place. 'Grade Planning' submitted an objection on behalf of 83, 85, 87 and 89 Belsize Park Gardens. The objections received by the Council are published in full on the Council's website. The key issues raised are.

### Amenity

- Object to the inclusion of 10 new windows to the eastern elevation to be added to the first-floor level. Whilst it is recognised that these windows are proposed to be opaque and non-openable, at their closest point the proposed windows will be located 4m from the nearest elevation of Number 83 Belsize Park Gardens and 1.8m from the boundary of its rear garden. Residents have a specific objection in terms of the impact of lighting that will be emitted from these windows, which given their close proximity to garden space and rear windows is considered to adversely affect their amenity.

*Officer response: Light spill would be mitigated by absence detection lighting and a condition restricting the hours of operation of the site.*

- A planning condition should be placed upon any planning permission that ensures all windows (including the glass blocks) are opaque and non-openable in perpetuity. The glazing itself should be opaque and a condition should specifically restrict the use of translucent film being applied to windows.

*Officer response: A condition would ensure the upper floor windows would be fitted with obscure glass (this should be sandblasted or have an acid etched finish) and would be fixed shut.*

- The height of the side boundary wall (between the application site and 83 Belsize Park Gardens) should be increased to the same height as existing (2.5m) so that residents are afforded the same level of visual privacy and amenity that they currently enjoy.

*Officer response: This is not considered necessary as the proposed height of the wall is well above eye height and therefore would provide privacy and prevent overlooking. The height of the wall (between 1.92m and 2m in height as measured from the application site) would provide privacy whilst allowing daylight to the proposed ground floor rooms.*

- The boundary wall is currently proposed to reduce in height to c.1.2m alongside the driveway to Number 83 (for approximately 8m in length). It is requested that the height of the wall in this area is increased to 2.5m in order to maintain visual privacy and to ensure residents of Number 83 are protected from amenity impacts (noise and overlooking) resulting from the intensification of the use of the building, particularly given that this area will be the main entrance for the school.

*Officer response: The existing side elevation adjoining No. 83 has a wall (1.6m high) with high level windows above. This would be replaced with a higher wall (2m high) which projects beyond the building line by approx. 2.7m before dropping down to a height of approx. 1.25m.*



Figure 2 - 3d model of side boundary



*The lower height of the side boundary wall at the front of the property is consistent with side boundary walls in this part of the conservation area. An intensification of the use of the existing building could occur without planning permission or further controls given the existing Class E use which also permits retail, health services or nursery use. This intensification of use can be managed through the controls recommended under the application, including a School Management Plan and series of conditions.*

- Request a condition that restricts opening hours of the school to between 08:00 and 19:30 on weekdays, with no weekend access.

*Officer response: A condition restricting the operating hours is recommended. This restriction considers the needs of the College. The operational hours of the College would be from 8:00 to 18:00 and adult evening classes for the local community would take place on some weekday evenings between 18:00 and 19:30. To allow some flexibility a 30 minute buffer has been included on either side of these operating hours. Therefore the use of the site for teaching would not be allowed outside of 7.30am to 8pm. Because the College requires flexibility for staff to be on site outside of these hours, the condition would allow use by school staff after 8pm. However, the condition would restrict the use of the site by anyone other than school staff after 8pm and at any time on weekends or Bank Holidays.*

- Object to the introduction of a café space to the ground floor of the building due to amenity issues (noise, odour etc.), given its close proximity to the boundary with Number 83.

*Officer response: The café will not be open to members of the public and will only be used by pupils and staff. It is effectively a school dining room that will be used by sixth form students. There would not be a full kitchen on site. The café/ gallery space would serve cold food (sandwiches etc) and would have a beverage area for self-service coffee and tea. The café would have full height double glazed windows and a high boundary wall (2.2m) would be between the café and the neighbouring property No. 83. The noise report has assessed noise breakout and this confirms it would have no significant impact.*

- Concerns in relation to the inclusion to any ventilation grilles for the proposed MVHR that are to be located on the eastern boundary of the site.

*Officer response: The building ventilation strategy is predominantly from rooftop MVHRs. Some rooms however are difficult to ventilate from the roof and these will be serviced by MVHRs within the room with wall grilles. These vents would be attenuated before the grilles. The attenuators would be sized based on the background noise conditions as set out in the submitted noise report. A condition requires a pre-occupation noise assessment to ensure that the development complies with the Council's noise thresholds.*

- There should be a planning condition about the frequency of evening events along with explicit and enforceable finishing times in the evening.

*Officer response: A condition is recommended preventing the use of the building by anyone other than school staff after 8pm and at any time on weekends and Bank Holidays. It is not considered necessary to restrict the frequency of evening events but a School Management Plan would be secured by legal agreement and this would allow this matter to be reviewed if necessary.*

- Developers plan to put 2 very large, very noisy heat pumps working 24hrs a day a few metres from our bedroom (12 Lancaster Stables). Concern that noise from ASHP would exceed developer's claims.

*Officer response: The applicant has been in correspondence with the occupiers of this property to reassure them that the ASHPs would be bespoke manufactured for this project and would be an ultra-low noise design. The acoustic housing would be manufactured to achieve a 33db(A) at one metre sound pressure levels. As such, they would meet the Council's noise thresholds and pre-occupation testing would be secured by condition.*

- Concerns with vibration from plant as the ASHPs are being placed onto the steel work that is attached right next to party wall (12 Lancaster Stables).

*Officer response: The occupier of this property has confirmed that the metal beams, that were fixed into the party wall, and which had previously transmitted vibrations, have been removed. A condition is recommended requiring all equipment to be fitted with anti-vibration isolators.*

- Calibration certification details for the instruments used seems to indicate they are outside of their calibration period.
- The LT1 measurement location results indicate higher than expected background noise level than you might expect at the Lancaster Stables roof top positions as these may be further shielded by the building envelope to provide a lower noise climate when compared to LT1 measurement position.
- We would like to see documented evidence of the attenuators used on the MVHR's and AHU to obtain the insertion losses assumed.

*Officer response: The noise report has been assessed by an environmental health officer and is considered acceptable. Pre-occupation testing of all plant operating at maximum capacity would be secured by condition.*

- Could the bespoke ASHPs be made lower than they appear in the plans so they do not loom large and block light into our bedroom (12 Lancaster Stables) or into any other neighbouring property?

*Officer response: The proposed plant would be located 5m from the side boundary with 12 Lancaster Stables and the patio doors are set back a further 2.9m from the side boundary. Given the distance between the two ASHPs and their offset location relative to the windows, the proposed plant would have minimal impact on the daylight and sunlight received by this property. It is also noted that there is existing plant closer to the roof terrace and patio doors which would be removed as part of this application.*

### Transport

- Delivery management plan assumes the delivery vehicles will unload in front of No. 81 but this area is part of CPZ and so area may be occupied by parked cars. Therefore, should consider whether more formal changes to the loading/unloading of vehicles should form part of the proposals.

*Officer response: Delivery and servicing arrangements are proposed to remain in line with operations occurring at the existing 81b Belsize Park Gardens, 24 Lambolle Road site. A maximum of two deliveries per day are expected. A Delivery and Servicing Management Plan would be secured by legal agreement. This would be required to demonstrate how the delivery and servicing would be managed to prevent any adverse impacts on the highway or neighbouring amenity.*

- Additional traffic generation in an area which already suffers from peak time congestion particularly as the proposal does not include a drop-off area and so may drop off in front of neighbouring driveway (No 83).

*Officer response: The transport assessment has shown that additional traffic generation would be minimal. In addition, a Travel Plan would be secured by legal agreement to further increase travel by sustainable modes of travel. This would help to ensure that drop-offs are kept to a minimum.*

### Other

- A condition should ensure that the existing fire escape door that leads to the communal garden is not used.
- Temporary roof hoarding adjacent to our terrace to stop operatives using our roof terrace without a permit to work, this will also stop any illegal access in non-working hours.
- The fire exit on the ground floor to Lancaster stables rear must never be used as general access and egress by operatives. This door should only be used as an emergency fire door.
- The developer has not provided clarity of where the property line is drawn on our shared wall that supports our terrace railing.

*Officer response: A condition is recommended to ensure the fire doors are only used for emergency egress. A construction management plan would be secured by legal agreement and there is a requirement for a construction*

*working group. Concerns with hoarding could therefore be highlighted through this process and steps taken to ensure that residents' property was not accessed during construction. The exact property line is a private property matter and does not affect the assessment of the proposed development against the Development Plan.*

## **5 POLICY**

### ***National and regional policy and guidance***

[National Planning Policy Framework 2023 \(NPPF\)](#)

[National Planning Practice Guidance \(NPPG\)](#)

[London Plan 2021 \(LP\)](#)

[London Plan Guidance](#)

### ***Local policy and guidance***

[Camden Local Plan \(2017\) \(CLP\)](#)

[Policy G1 Delivery and location of growth](#)

[Policy C2 Community facilities](#)

[Policy C3 Cultural and leisure facilities](#)

[Policy C5 Safety and security](#)

[Policy C6 Access for all](#)

[Policy A1 Managing the impact of development](#)

[Policy A3 Biodiversity](#)

[Policy A4 Noise and vibration](#)

[Policy D1 Design](#)

[Policy D2 Heritage](#)

[Policy CC1 Climate change mitigation](#)

[Policy CC2 Adapting to climate change](#)

[Policy CC3 Water and flooding](#)

[Policy CC4 Air quality](#)

[Policy CC5 Waste](#)

[Policy T1 Prioritising walking, cycling and public transport](#)

[Policy T2 Parking and car-free development](#)

[Policy DM1 Delivery and monitoring](#)

### **Supplementary Planning Documents and Guidance**

*Most relevant Camden Planning Guidance (CPGs):*

[Access for All CPG - March 2019](#)

[Air Quality - January 2021](#)

[Amenity - January 2021](#)

[Biodiversity CPG - March 2018](#)

[Community uses, leisure and pubs - January 2021](#)

[Design - January 2021](#)

[Developer Contribution CPG - March 2019](#)

[Energy efficiency and adaptation - January 2021](#)

[Planning for health and wellbeing - January 2021](#)

[Public open space - January 2021](#)

[Transport - January 2021](#)  
[Trees CPG - March 2019](#)  
[Water and flooding CPG - March 2019](#)

*Other guidance:*

[Belsize Conservation Area Statement \(2003\)](#)

Draft Camden Local Plan

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

**6 ASSESSMENT**

6.1 The principal considerations material to the determination of this application are considered in the following sections of this report:

7	Land use
8	Impact on neighbouring amenity
9	Design
10	Heritage
11	Energy and sustainability
12	Transport
13	Trees and biodiversity
14	Contaminated land
15	Fire
16	CIL
17	Conclusion
18	Recommendation

**7 LAND USE**

***Loss of gym and leisure club***

7.1 The proposed change of use of 81 Belsize Park Gardens from a gym (Class E) to education use (Class F1) would involve the loss of a leisure facility. Policy C3 ‘Cultural and leisure facilities’ of the Local Plan seeks to protect cultural and leisure facilities.

7.2 The site was formerly occupied by a Health and Leisure Club, known as Springhealth Leisure Club. The club included a gym, pool, fitness studios,

changing rooms, restaurant and crèche. This use ceased in February 2017. The existing floorspace is 1,441sqm arranged over 4 floors.

- 7.3 Where there is a proposal involving the loss of a cultural or leisure facility, it must be demonstrated to the Council's satisfaction there is no longer a demand. When assessing such planning applications, we will take the following into account:
- a. whether the premises are able to support alternative cultural and leisure uses which would make a positive contribution to the range of cultural and leisure facilities in the borough;
  - b. the size, layout and design of the existing facility;
  - c. proposals for re-provision elsewhere;
  - d. the impact of the proposal on the range of cultural and leisure facilities; and
  - e. the mix of uses in the area.
- 7.4 The Council recognises that the users of a leisure or cultural facility will be drawn from a catchment unique to the particular venue and therefore we consider the value a facility provides to Londoners, including protected groups (as set out in the Equality Act 2010) where relevant, as well as the local community. The previous use is not considered to have served any protected groups in particular.
- 7.5 Demand for cultural and leisure uses varies over time and as a result, there may no longer be a demand for an existing facility. Where proposals would involve the loss of a cultural or leisure facility we will expect the applicant to demonstrate to the Council's satisfaction there had been a search for alternative cultural and leisure uses for the site through a marketing exercise.
- 7.6 A marketing report has been submitted. Prime Retail marketed the site between March 2017 and April 2020. Despite the active marketing, over a 3 year period, which generated initial interest from potential operators, the space was not successfully let. The Prime Retail report shows that as well as alternative gym operators viewing the space, it was also inspected and considered by a nursery (hence the certificate application after the Use Classes Order was amended in September 2020), indoor play centre, health spa, wellness spa, dance studio and private members club. The presence of the swimming pool counted against the property as many of the low-cost gym operators do not operate wet gyms therefore having the swimming pool was seen not only as a reduction in floorspace but also an added/unnecessary cost either to upkeep or to infill.
- 7.7 The site was sold in January 2021 and a certificate of lawfulness was issued in March 2021 confirming that the property could be lawfully used as a nursery which would be Class E. The property was then re-marketed by Knight Frank and the applicant acquired the freehold interest in May 2022.

7.8 There are also a number of alternative health clubs in the local area. Health clubs and gyms within a 1km radius of the site are shown on the map within the submitted Marketing Report (shown below). This demonstrates that local residents have a range of alternative options that they can travel to on foot, within the local area.

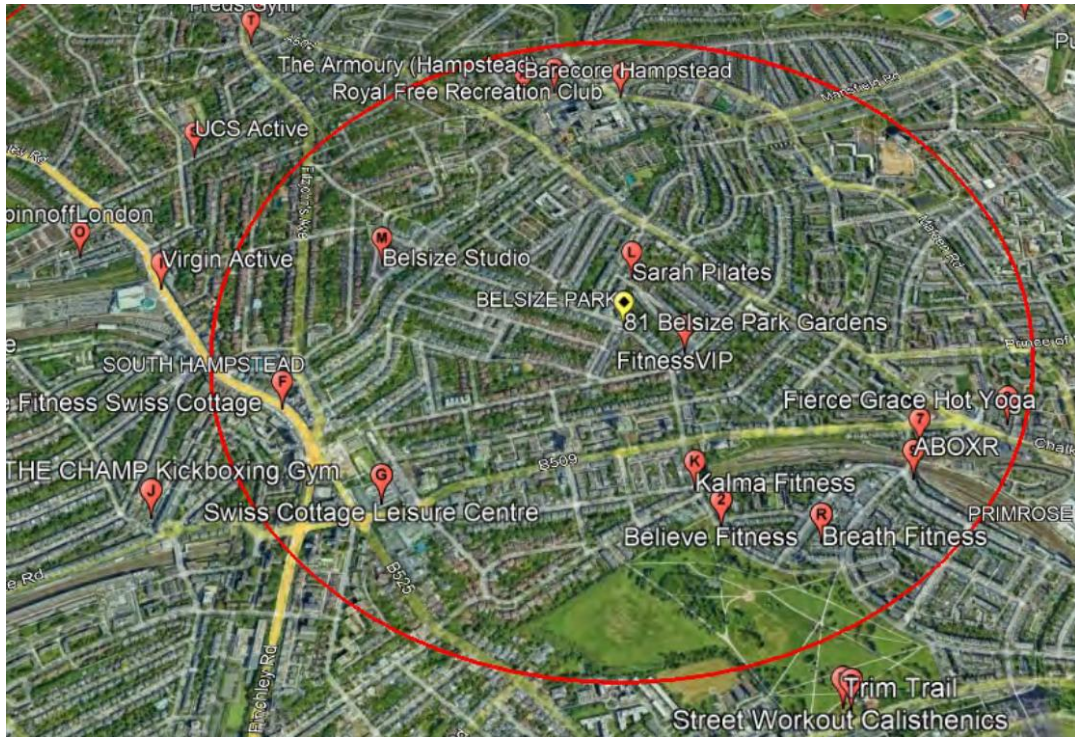


Figure 3 – map of alternative health clubs and gyms

7.9 The internal layout of No. 81 is specifically tailored to the needs of a leisure club and includes a swimming pool, which therefore restricts alternative cultural and leisure uses that could take place at the site without significant alterations. The narrow shape of the building also restricts how the space could be used.

7.10 Following the changes to the Use Classes Order in 2020, the current lawful use of the property falls within Class E, meaning that it could be used for other Class E uses without planning permission. The uses could include retail, café, restaurant, children’s nursery, doctor’s surgery or other medical use or as an office. It is noted that these uses would also result in the loss of the gym leisure club use and could do so without any controls on the nature and operation of the new use.

**Loss of permitted housing**

7.11 Policy H1 of the CLP says we will seek to exceed the target for additional homes by regarding self-contained housing as the priority land-use. It says we will resist alternative development of sites identified for housing through a current planning permission, unless it is shown that the site is no longer developable for housing.

7.12 Prior approval was granted to convert the existing building into 3 x Duplex residential units 09/03/2022 (2021/4743/P). While this permission is still implementable, it is noted that the 3 flats (2 x 3-bed 6 person and 1 x 4-bed 8 person) were oversized and exceeded the London Plan space standards by 247sqm, 169sqm and 208sqm. As the existing building does not have any openings on large parts of the east elevation (see image below), the approved flats lacked outlook from many rooms and were not dual aspect.

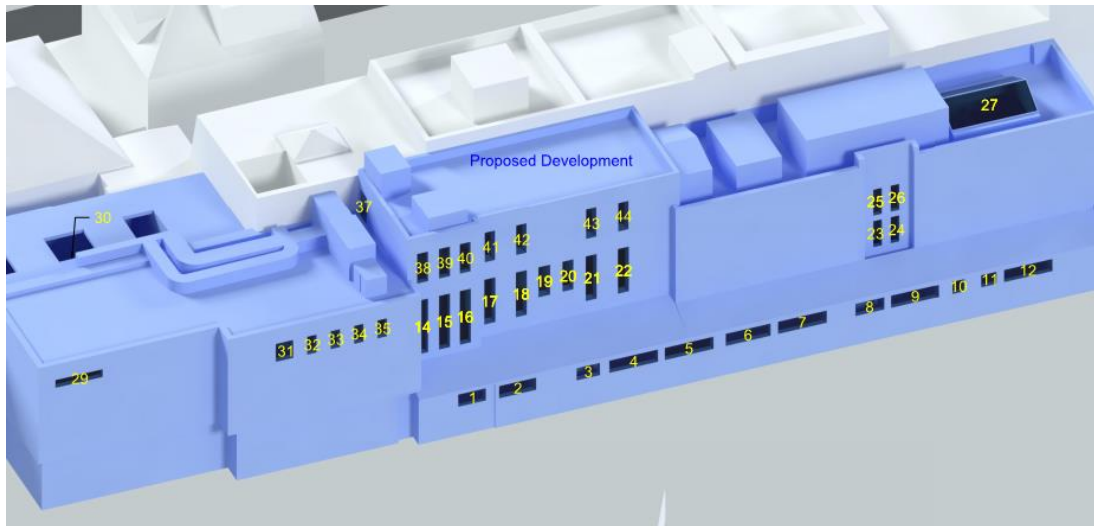


Figure 4 – Windows on the east elevation

7.13 In addition, the flats did not have access to any external amenity space. As the application was submitted via the prior approval procedure, the Council was not able to secure any of the public benefits we would normally secure with developments of this size such as a contribution to affordable housing.

7.14 The application for prior approval was submitted by Land and Site Acquisitions Limited in September 2021 and the site was granted prior approval in March 2022. Land and Site Acquisitions Limited sold the site to Dukes Education (the current applicant) in May 2022. It is therefore doubtful that the site would now come forward for housing. The prior approval is subject to a condition that the development must be completed within a period of 3 years starting with the date prior approval is granted. Therefore, it could be argued that the loss of 3 housing units would not be contrary to the aims of policy H1 as the site is unlikely to be developable for housing before the prior approval expires. Moreover, the housing approved under the prior approval process is not the high quality housing which the development plan seeks and nor does it provide housing at the densities expected. As such, officers do not object to the loss of the permitted housing in this instance.

#### ***Proposed education use***

7.15 The NPPF recognises that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Paragraph 99 states that local planning authorities (LPAs) should take a



proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Furthermore, the NPPF states LPAs should “give great weight to the need to create, expand or alter schools”.

- 7.16 The Fine Arts College is an independent school specialising in the arts and humanities. Its main site is located at 41-43 England’s Lane (approx. 200m from the application site) and it also has another site at ‘81b Belsize Park Gardens, 24 Lambolle Place and Lancaster Stables’ (to be referred to as the ‘81b site’ in this assessment), adjacent to the application site.
- 7.17 The College currently has capacity for approximately 240 students, with approximately 230 students currently on the pupil roll. Approximately 180 can be accommodated at 41- 43 England’s Lane (with approximately 175 pupils currently accommodated in this building) and approximately 60 can be accommodated at the ‘81b site’ (with approximately 55 pupils currently accommodated in these buildings). Pupils move between the sites during the school day. The college currently employs 40 FTE staff, of which approximately 31 are based at England’s Lane and 9 at the ‘81b site’.
- 7.18 The submitted planning statement explains that the Fine Arts College is currently at capacity and has outgrown the ‘81b site’ and requires more space to ensure high quality education facilities and to accommodate a larger number students and staff in future. A separate application (2023/5139/P) has been submitted in relation to the ‘81b site’ which seeks planning permission for a change of use of the ground floor, from the existing education use, to two 2 flats. While the application for 81 Belsize Park Gardens (the subject of this report) has a relationship to the planning application for the ‘81b site’, for the purposes of this assessment the applications are treated separately and the acceptability of the change of use at the application site does not depend on the outcome of the related application (2023/5139/P) at the ‘81b site’.
- 7.19 The applicant has confirmed that it intends to vacate the ‘81b site’, regardless of whether consent is approved for the change of use to residential at this site. This is because the floorspace that ‘81b site’ provides would no longer be needed by the College once the new premises at No. 81 can be occupied.
- 7.20 It is proposed that the use of No.81 would result in the eventual increase in the total number of students at the College increasing from 240 students to 400 students. Approximately 200 students would be based at 81 Belsize Park Gardens and a further 200 would be located at England’s Lane. Approximately 30 FTE staff would be based at each site.
- 7.21 Once the application site opens it is expected that there would be 120 students at No. 81, with a further 120 based at England’s Lane. Further growth at the College would happen over a five-year period (approximately), with the

College taking on circa 15 additional pupils at each site, each academic year until they reach a total of 200 students at each site.

- 7.22 Students currently move between the various buildings during the school day on foot. The expansion and consolidation of the College would make the overall movements of the College more efficient. The application site would primarily be used by sixth form students, who would be based at the site for the majority of their lessons. The site would be laid out to provide both general classrooms and classrooms for specific subjects including drama/ dance, photography, and music. England's Lane would be the main campus for the younger students. However, the bespoke facilities (i.e. the drama/ dance, photography, and music facilities) would also be used by the younger students who will move between England's Lane and Belsize Park Gardens.
- 7.23 The submitted planning statement explains that the Fine Arts College also seeks to increase their facilities. Currently the College does not have a gallery where students art and work can be showcased. The proposal includes the creation of a gallery space where fellow students, families and friends can come and visit the artwork on display. The gallery will provide the opportunity for the College to offer art shows, which will help pupil's learning experiences and development.
- 7.24 An on-site café for use by students would also be provided in the building. This would provide a space for students to socialise during the school day and also to eat lunch.
- 7.25 The application site would also provide sufficient space for the Fine Arts to hold art classes in the evening, expanding on the current adult evening classes they offer. These would be open to the public and would be a valuable addition to the amenities available to the local community. There could also be further opportunities for the College to run further classes during school holidays and at weekends. Adult learning would be in accordance with Policy C2 which supports the extended use of facilities that can be accessed by the wider community.
- 7.26 CLP Policy C2 (Community Facilities) promotes the development of community facilities including education and states that the Council will support the investment plans of educational bodies to expand and enhance their operations, taking into account the social and economic benefits they generate. Community facilities are expected to be easily accessible on foot or by sustainable modes of travel. Despite having a relatively low PTAL (3), the proposed college would be within walking distance of several tube stations and four bus routes. As such, the location is considered to be accessible by sustainable modes of travel. In assessing proposals, the Council will also balance the impact proposals may have on residential amenity and transport infrastructure.

- 7.27 As this is an independent school proposal, the Council's education strategy team have confirmed the proposed school expansion would have limited impact on existing Camden maintained schools or academies.
- 7.28 The scale and intensity of use of some community facilities, such as schools, colleges and higher education facilities can lead to adverse impacts on residential amenity. This is principally related to the movement of large numbers of people at certain times of day, impacts such as noise pollution and the pressure on the transport system.
- 7.29 While the principle of educational floorspace is considered acceptable, this is subject to an assessment of the impact on residential amenity and transport infrastructure. This is particularly important in this area as Belsize and Hampstead have a concentration of school uses. This is reflected in paragraph 4.33 of the CLP which says we will refuse applications for new schools or the expansion of existing schools in these areas, unless it can be demonstrated the number of traffic movements will not increase. The detailed analysis of this is set out in the Transport section of this report.
- 7.30 A School Management Plan has been submitted. This sets out how the school will be managed including the management of pupil arrivals and departures. The Management Plan will be secured by legal agreement as this will allow for reviews and updates to the Management Plan. The hours of operation will be limited to 7.30am to 8pm and this will be secured by condition [condition 12].
- 7.31 Subject to the appropriate controls under the legal agreement and recommended conditions, the school would meet the policy objectives of supporting expansion and consolidation of community infrastructure such as education, in accordance with the NPPF and the development plan.

## **8 IMPACT ON NEIGHBOURING AMENITY**

- 8.1 CLP policies A1 and A4 and the Amenity CPG are all relevant with regards to the impact on the amenity of residential properties in the area, requiring careful consideration of the impacts of development on light, outlook, privacy and noise. Impact from construction works are also relevant but dealt with in the 'Transport' section. The thrust of the policies is that the quality of life of current and occupiers should be protected and development which causes an unacceptable level of harm to amenity should be refused.

### ***Operation***

- 8.2 The site is in a residential area. There are existing pupil and staff arrivals and departures on Belsize Park Gardens as a result of the College's occupation of the neighbouring '81b site'. It is acknowledged that there would be an increase in the number of pupils arriving and departing. A School Management Plan would be secured by legal agreement. The College will ensure good management to ensure that when pupils arrive and depart, they are well

behaved and do not cause noise that could disturb neighbours. This Management Plan would be secured by legal agreement and would include a review mechanism so it can respond to changing circumstances. This would include an automatic review after the first year of operation. There would be a further review at the end of the fifth year, as by that date the site will be operating at, or close to, full capacity. Reviews would also be required when there was a material change to the school's management or at the request of the local authority.

- 8.3 In addition, a condition would restrict the hours of operation [Condition 12]. The use of the site for teaching would only be allowed between 7.30am and 8pm. Because the College requires flexibility for staff to be on site, the condition would restrict the use of the building by anyone other than school staff after 8pm and at any time on weekends or Bank Holidays.
- 8.4 To protect neighbouring amenity and any impacts on transport infrastructure a condition is recommended to cap the number of students at the site to 200 [Condition 13]. The number of students at England's Lane would increase slightly as a result of this application. The maximum number of students would increase from 180 to 200 students. The School Management Plan would cap the overall number of students at both sites to a maximum of 400 students in total (200 being the maximum allowed at the application site and 200 the maximum allowed at England's Lane). This cap is secured as a planning obligation rather than a condition as the England's Lane site does not fall within the application site boundary.

#### ***Daylight and sunlight***

- 8.5 A Daylight and Sunlight Report has been submitted as part of the application which details any impacts upon neighbouring properties.
- 8.6 The leading industry guidelines on daylight and sunlight are published by the Building Research Establishment in BR209 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' (third edition, 2022) (BRE). The development plan supports the use of the BRE guidance for assessment purposes, however, it should not be applied rigidly and should be used to quantify and understand impact when making a balanced judgement.
- 8.7 Paragraph 129 of the NPPF supports making efficient use of land and says that authorities should take a flexible approach in applying policies or guidance relating to daylight/sunlight where they would otherwise inhibit making efficient use of a site, as long as the resulting scheme would provide acceptable living standards.

#### **Methodology**

- 8.8 The methodology and criteria used for the assessment is based on the approach set out by BRE guidance. The report makes use of several metrics

in its assessment of surrounding buildings which are described in the BRE guidance:

- **Vertical Sky Component (VSC)** – The daylight on the surface of a window. A measure of the amount of sky visible at the centre of a window.
- *The BRE considers daylight may be adversely affected if, after development, the VSC is both less than 27% and less than 0.8 times (a reduction of more than 20%) its former value.*
- **No Sky Line (NSL)**, also known as **Daylight Distribution (DD)** – The daylight penetration into a room. It measures the area at desk level (“a working plane”) inside a room that will have a direct view of the sky.
- *The NSL figure can be reduced to 0.8 times its existing value (a reduction of more than 20%) before the daylight loss is noticeable.*
- **Annual Probable Sunlight Hours (APSH)** - The amount of sunlight that windows of main living spaces within 90 degrees of due south receive and a measure of the number of hours that direct sunlight reaches unobstructed ground across the whole year and also as a measure over the winter period. The main focus is on living rooms.
- *The BRE considers 25% to be acceptable APSH, including at least 5% during the winter months. If below this, impacts are noticeable if less than these targets, and sunlight hours are reduced by more than 4 percentage points, to less than 0.8 times their former value. It recommends testing living rooms and conservatories.*

### Assessment

8.9

The proposed external alterations include the replacement of rooflights with a saw tooth roof at front of building, the raising of the parapet wall by approximately 0.37m on part of the east elevation and south elevation and by 0.60m on part of the south and west elevation and rooftop plant. The air source heat pumps project 2m above the height of the existing parapet and are 0.71m higher than the existing plant in that location. The parts of the parapet which would be raised are shown on the roof plan below (identified by a red and purple-blue outline).

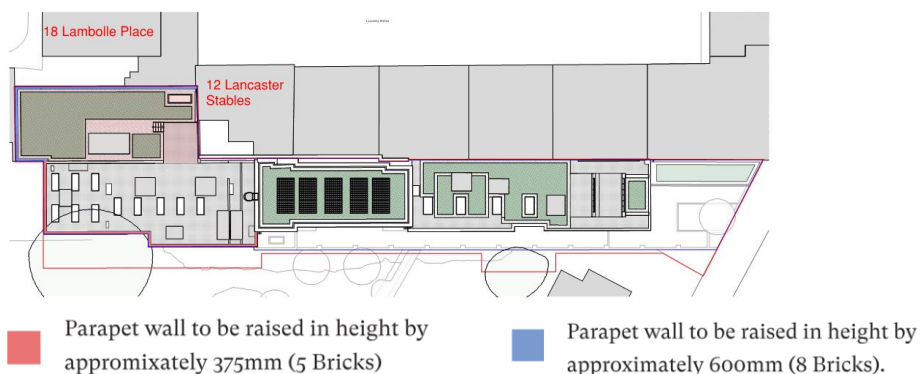


Figure 5 – propose roof plan identifying parts of parapet wall to be raised

- 8.10 The daylight and sunlight report tested the property that would be most impacted by the increase height of the parapet, 18-18b Lambolle Place.

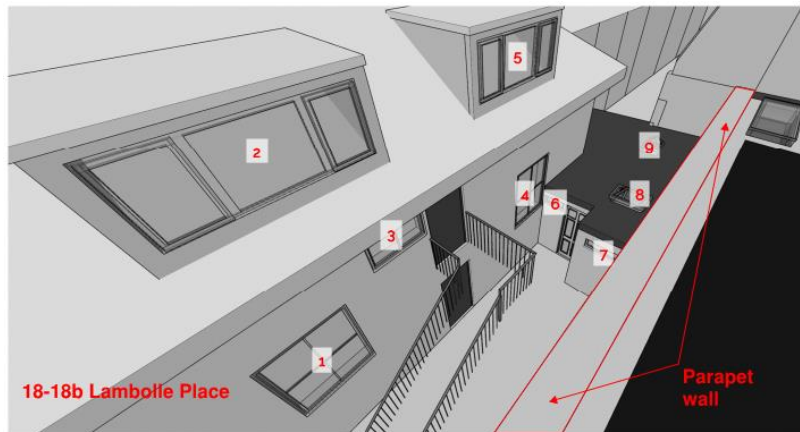


Figure 6 – windows of 18-18b Lambolle Place identified in daylight /sunlight report

- 8.11 The report found that all the tested windows complied with BRE recommendations for VSC (i.e. all windows retain in excess of 80% of their current values) and for Annual and Winter Probable Sunlight Hours for sunlight impacts. The proposed development is therefore acceptable in daylight and sunlight terms.

- 8.12 The occupier of 12 Lancaster Stables has raised a concern that the air source heat pumps (ASHPs) would block light into their bedroom. The second floor of this property has accommodation with a terrace at approximately the same level as the proposed plant. The Council’s planning records include a second-floor plan of 12 Lancaster Stables from 1987 when approval was given for the property to be converted into a dwelling house (planning reference 8702712). This shows a glazed rooflight over a stairwell and a habitable room opening onto a terrace.

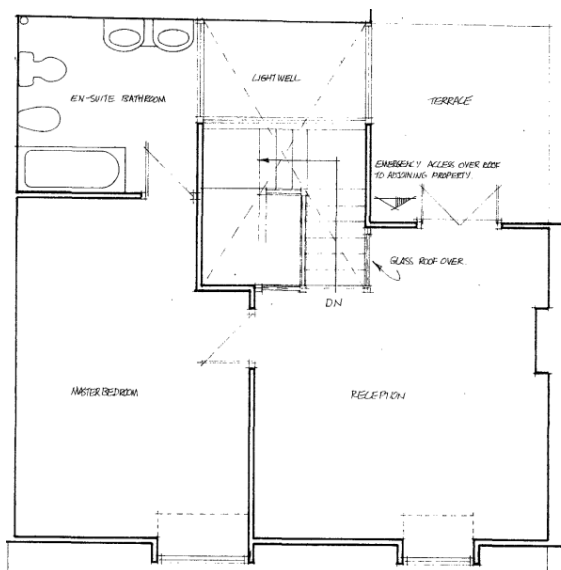


Figure 7 Second floor plan of 12 Lancaster Garages

- 8.13 Aerial images of this property show that there is an existing high wall surrounding part of the second floor which dips down to allow views from the terrace. The property has glazed patio doors facing onto a terrace with the roof of the application site visible beyond. The applicant has provided a 3d visualisation which shows the indicative layout of this property including the glazed rooflight over the stairwell and the relationship between the patio doors and the proposed ASHPs.

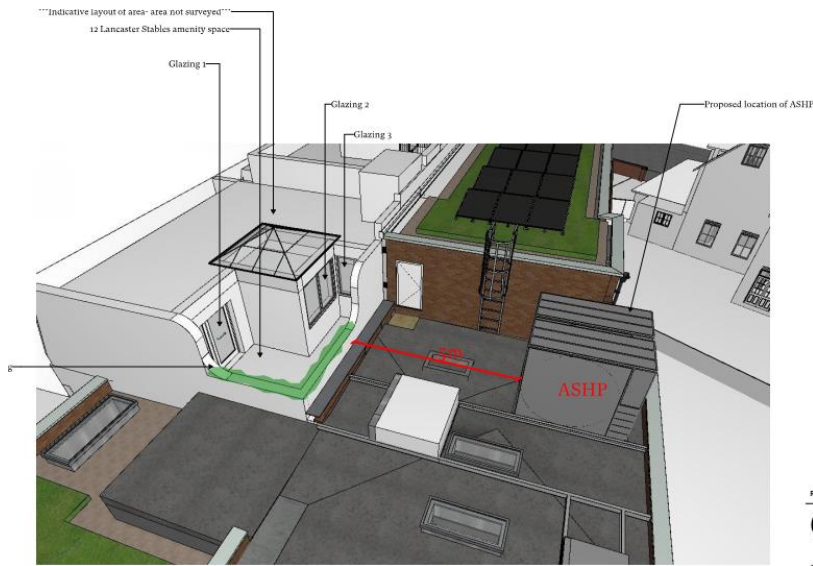


Figure 8 – 3D visualisation of 12 Lancaster Stables and proposed ASHPs

- 8.14 The proposed plant would be located 5m from the side boundary with 12 Lancaster Stables and the patio doors are set back a further 2.9m from the side boundary. Given the distance between the two ASHPs and their offset location relative to the windows, the proposed plant would have minimal impact on the daylight and sunlight received by this property. It is also noted that there is existing plant closer to the roof terrace and patio doors which would be removed as part of this application (see aerial image below).



Figure 9 – photographs of 12 Lancaster Stables showing existing plant

## Noise

- 8.15 The development includes plant at roof level. This comprises 2 ASHPs, 7 MVHR (mechanical ventilation with heat recovery) units and 1 AHU (air-handling unit).

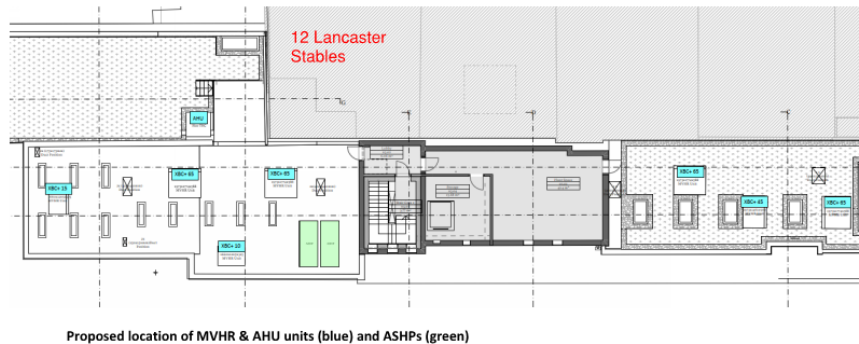


Figure 10 – Proposed roof plan with location of MVHR and AHU (blue) and ASHPs (green)

- 8.16 A noise impact assessment has been submitted with the application. Background noise levels were measured on the roof of the existing building (long-term unattended) and this was supplemented by a 15 minute attended noise measurement at the front of the site. The representative background noise levels measured were 44dB in the daytime and 38dB in the night-time. Plant noise emission limits are set at 10 dB below the representative background noise level at the nearest noise-sensitive receptors.
- 8.17 The nearest noise sensitive properties are the adjoining properties on Lancaster Stables. The windows on Nos. 4 and 12 Lancaster Stables have been assessed as these are the nearest noise sensitive windows. The roof terrace of 12 Lancaster Stables has been assessed as this is the nearest roof garden. The noise impact on 83-87 Belsize Park Gardens has also been assessed. The noise assessment was based on induct attenuators being fitted to the intake and exhaust of the AHU and MVHR units. The ASHPs would have a high level of acoustic attenuation built-in and have been assessed as being operational in the day and night-time periods. The assessment demonstrates that plant noise emission limits can be met at the nearest noise sensitive windows and roof terraces. On this basis, the 'no observed adverse effect level' is predicted and therefore there would be no significant noise impact from the plant.
- 8.18 Objectors have raised concerns that the noise from the ASHPs would exceed the developer's claims. The manufacturer of the ASHPs (Clade) has confirmed that the heat pumps would be bespoke manufactured for this project and would be an ultra-low noise design. The acoustic housing would be manufactured to achieve a 33db(A) at one meter sound pressure levels.
- 8.19 The party wall would be lined with an independent lining comprising 2 layers of plasterboard to increase the sound insulation performance between the



college and the adjacent mews houses (Lancaster Stables). This would help ensure that noise breakout would be minimised and noise levels of less than 15dBA are predicted in the adjoining residential mews. The music rooms would have triple layer glass blocks in the external wall. The predicted noise levels at 1m from the façade of the residential properties opposite is predicted to be less than 45dBA. This would be less than the prevailing daytime ambient noise climate of 48dBA. Although it may be audible due to the tonal nature of music, it is not expected to cause significant disturbance.

- 8.20 The noise report has been reviewed by Environmental Health and meets the requirements of Policy A4 and appendix 3 of the Camden Local Plan. A condition is recommended to require pre-occupation testing of all the plant operating together at maximum capacity to ensure it meets the Council's noise thresholds in practice [Condition 23]. Further conditions would be included requiring the plant to meet Camden's noise thresholds [Condition 21] and for anti-vibration isolators to be fitted [Condition 22]. The sound insulation recommended in the noise report would also be secured by condition [Condition 27]

### ***Light spill***

- 8.21 The proposed alterations to the east elevation include new window openings at ground and first floor level, new windows into existing window openings at first, second and third floor on the central part of the elevation and glass blocks fitted to existing and proposed window openings to the southern part of this elevation. These windows face toward the neighbouring property, 83 Belsize Park Gardens and the communal garden to the south. While all the windows above ground level would be obscure glazed, concern has nevertheless been raised about light spill from these windows.

- 8.22 It is noted that all internal lighting would switch off after a predetermined period of absence to prevent lights remaining on in unoccupied spaces. The application submission states that the operational hours of the College will be from 8:00 to 18:00 and adult evening classes for the local community would take place on some weekday evenings between 18:00 and 19:30. A condition would ensure that the use of the building for teaching would not extend beyond 8pm on weekdays and not at all on weekends and bank holidays.

- 8.23 Given the proposed absence detection lighting and the condition restricting the hours of operation, light spill from the windows would be minimised and any impact on neighbouring amenity would be sufficiently mitigated.

### ***Overlooking***

- 8.24 Neighbouring occupiers have raised concerns with the 1.92m to 2m height of the proposed side boundary wall with 83 Belsize Park Gardens and the communal garden to the south.

- 8.25 The existing structure along the side boundary is approximately 2.75m high with high level windows facing towards the neighbouring gardens along its length. Immediately adjacent to this structure is an existing 0.75m angled timber screen raised up on posts to prevent overlooking or light spill from these high-level windows. This screen would be removed and the proposed rebuilt side boundary wall would be between 1.92m and 2m in height as measured from the application site.
- 8.26 The objectors would like the height of the side boundary wall to be increased to the same height as existing to preserve their visual privacy and amenity. This is not considered necessary as the proposed height of the wall is well above eye height and therefore would provide privacy and prevent overlooking. The height of the wall provides privacy whilst allowing daylight to the proposed ground floor rooms. The removal of the timber screen would provide more usable space to the garden of No. 83 and the communal garden to the south and would be more in keeping with the existing gardens. The timber screen was only required to obscure the high-level windows which would be removed as part of the demolition of the covered passageway. The proposed ground floor windows would not be visible from the neighbouring gardens due to the proposed side boundary wall.

## 9 DESIGN

### *Alterations to front elevation and forecourt*



Existing Front Elevation



Proposed Front Elevation

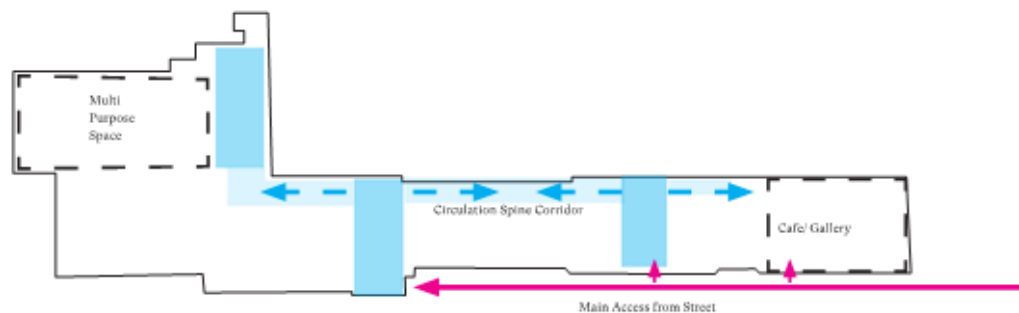
*Figure 11 – existing and proposed front elevation*

- 9.1 The existing facade is non-descript and holds little architectural merit with a pitched roof extension which provides an entrance foyer. The proposal seeks to restore the building to its former architectural style, in a contemporary way. This would include the re-introduction of a profiled horizontal band above

ground level. Non-illuminated 'Fine Arts College' lettering would be located within this band. The white paint would be removed from the façade to reinstate the original red brick which would be contextual to the neighbouring properties to the southeast. The proportion of the full-sized window at ground floor would be proportionally similar to the historic fenestration, and the first floor windows would follow the rule of thirds to remain proportional to each other. The large, glazed openings to the café / exhibition space at the front of the building would connect better with the community and make a greater contribution to the streetscape, when compared to the existing building.

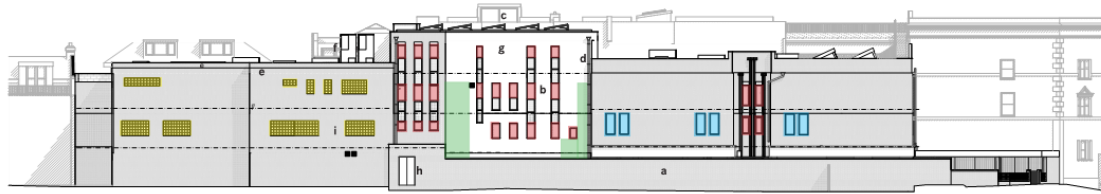
### ***Alterations to side elevation***

- 9.2 The building design originally included a passageway between the building and side boundary wall. At some point this area was infilled with a single storey structure, creating an internal corridor. This application seeks to remove this single storey corridor and rebuild the party wall with 83 Belsize Park Gardens and the communal garden to the south. The boundary wall would be red brick with Flemish bond to remain contextually sensitive to the site. The creation of an external passage down the side of the building would provide a more efficient and legible circulation as well as allowing natural daylight deeper into the ground floor of the building. Towards the street frontage, the boundary wall would drop in height to approximately 1.25m to connect with the existing wall of No.83.



*Figure 12 – proposed ground floor circulation*

- 9.3 Various alterations are proposed to the side (east) elevation including new window openings at ground and first floor level, new windows into existing window openings at first, second and third floor on the central part of the elevation and glass blocks fitted to existing and proposed window openings on the southern part of this elevation. The windows are required to improve light to the proposed classrooms. All the windows above ground level would be obscure glazed and non-opening. This would be secured by condition [Condition 6]. The horizontal banding on the front facade would be continued round the eastern elevation to create a cohesive architectural language wrapping round the building.



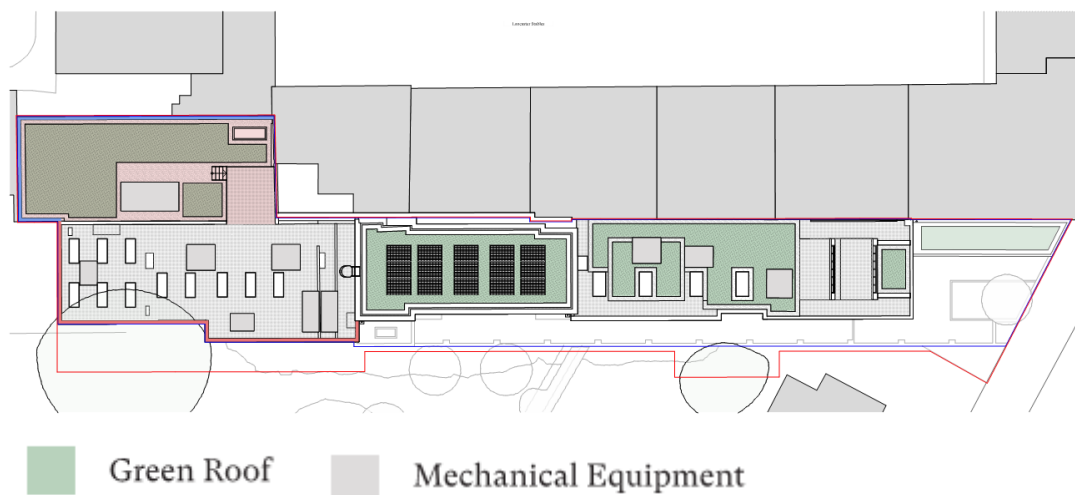
- New window openings fitted with fixed translucent glazing to provide natural daylighting for proposed teaching spaces.
- Indicative area of trellis planting / green wall introduced to proposal following on-site discussion.
- New fixed translucent windows fitted in existing window openings.
- New fixed glass blocks fitted in existing and proposed window openings.

*Figure 13 – alterations to side (east) elevation*

- 9.4 The central part of the elevation is currently rendered brilliant white. This would be re-rendered in a more muted off-white colour to avoid a stark contrast with the existing historic masonry. The colour of the render would be conditioned [Condition 3]. In addition, the dark blue, backpainted glazed spandrel panels would be replaced with light coloured aluminium panels.

**Alterations to roof**

- 9.5 The application seeks permission for various plant at roof level (2 ASHPs, 7 MVHR units and 1 AHU); all the existing plant and plant rooms would be removed from the roof. On balance this would substantially improve the appearance of the roof. The roof would also include substantial areas of green roof and PV panels.



*Figure 14 – proposed roof plan showing extent of green roof and plant*

- 9.6 A key principle of the proposed conversion is the need to introduce more light into the building to ensure the learning spaces would be sufficiently lit. Rooflights would be introduced, and this would include 11 rooflights on the

southern part of the roof. The existing dual pitch glazed roof would be replaced with a sawtooth rooflight at the front of the building. All the alterations at roof level are considered acceptable and are considered to improve the appearance of the property.

- 9.7 The parapet wall on the southern part of the roof would be raised by approximately 0.37m (east elevation and south elevation) and by 0.60m on part of the south and west elevation. The increased height of the parapet would have minimal impact on the appearance of the property.

### ***Materials***

- 9.8 In addition to the revealed red brickwork on the front façade and the concrete banding, the ground floor would be finished in a contrasting dark brick to add richness to the appearance of facade. All facing materials would be secured by condition [Condition 3 and 4].

### ***Waste storage***

- 9.9 The site would provide waste storage in the form of a secure store for 2x1100L Eurobins at the front of the site. One Eurobin would be used for general waste whilst the other for mixed recyclables. The building manager would be responsible for transporting the waste from the bin store to kerb side on Belsize Park Gardens for collection. The transporting distance from the bin store to kerb is less than 10m. The waste storage arrangements are considered acceptable, and the waste store would be secured by condition [Condition 7].

### ***Designing out crime***

- 9.10 As part of the BREEAM requirements, a security consultant was appointed by the applicant to conduct a 'security needs assessment' to identify the potential security risks associated with the proposal. The proposed safety measures have been reviewed by the Designing out Crime officer (DOCO). The proposed boundary wall with railing at the front of the site would be 1m in height. The DOCO was concerned that this would be too low and would be climbable. The applicant has advised that the height of the wall is a contextual response to the site and would continue the architectural language of the streetscape. Given that this is a conservation area, a higher wall would not be appropriate. It is also noted that the secure line for the building is set-back further into the site, where a 1.95m security gate with Maglock would restrict access into the main school site. The applicant's submissions and further information provided in response to the DOCO are considered to demonstrate that the development would be secure and designed to minimise crime and antisocial behaviour whilst taking into account the character and appearance of the area. The proposed security features would be secured by condition [Condition 8].

### ***Accessibility***

- 9.11 The site would be level access and would be fully accessible to all users. There is a lift adjacent to the central stair core which would allow the building to be 100% accessible by all occupants. As there is a level difference between the main ground floor and the upper ground floor, a platform stairlift would be provided. Two accessible toilets would be provided on each floor resulting in a more accessible and inclusive building.

## **10 HERITAGE**

### ***Designated and non-designated heritage assets***

- 10.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special regard must be given to preserving or enhancing the character and appearance of a conservation area. The site falls within the Belsize Conservation Area.

### ***Belsize Conservation Area – appearance enhanced***

- 10.2 The character of Belsize is largely derived from mid-19th century Italianate villas. Within the Conservation Area there are, however, a number of distinct areas of varying character and appearance as identified in the conservation area statement. While the front of the site falls within sub-area 1 'Belsize Park', the rear of the site falls within a different sub-area. Within sub-area 1, further areas of separate character have been identified. The front of the application site falls within the core area of sub-area 1, 'Belsize Park, Belsize Park Gardens, Buckland Crescent and Belsize Square'. The streets here are predominantly residential, characterised by the repeated forms of paired stucco villas, whose design gives a strong identity and unity of appearance to the area. The closely spaced villas maintain a continuous building line and their repeated forms with narrow gaps between give a uniform rhythm to the streets and provide important, glimpsed views. Belsize Park Gardens is a long, straight and consistent street to its junction with Lambolle Place where the slight bend in its alignment reflects the later development of the southern part of the street.
- 10.3 However, most of the site as well as the neighbouring properties (83-89 Belsize Park Gardens and Lancaster Stables) fall within sub-area 3 'Eton Avenue'. This is a consistent area of predominantly late Victorian housing with some Edwardian pockets. The houses within this area are smaller than the villa development to the north, being predominantly two storeys with an attic level. The properties in this area are notable for their varied styles and elevational treatment. There is however consistency of materials generally, red brick with red clay tiled roofs being a recurrent theme. The houses have front gardens with boundary walls defining the edge of the properties along the street.



*Figure 15 - Photograph of property shortly after completion (1933-36)*

- 10.4 The application site is a classic 1930s style building, of modern design with art deco influences. The front elevation fronting on to Belsize Park Gardens has been altered over time, but it is of a simplistic design with no window openings currently at upper floors. Photographs included in the Design and Access Statement show that when the property was first built the brick work was exposed and there was exposed concrete banding and a bay window at the ground floor (see image above).
- 10.5 On the front elevation it is proposed to remove a small, pitched roof halfway up the elevation, restore the red brick by removing the white paint from the façade and reintroduce the concrete banding that was in place when the property was first built, as well as a window at ground floor level. The red brick frontage would be contextual to the buildings along the southern side of Belsize Park Gardens.
- 10.6 Additional window openings are proposed at first floor level on the front elevation. Whilst these are new openings, their size and position would be in proportion to the host building and so would not result in any harm. Similarly, the additional openings on the side elevation are also considered appropriate.
- 10.7 The front hardstanding is considered to detract from the area and the works to this area would improve the visual appearance of the site's frontage. A bin and bike store with green roof would replace the existing wooden enclosure. The hardstanding would be replaced by a planted bed and a tree which would be enclosed by a low height boundary wall. This would improve the site's enclosure and relationship with the neighbouring property to the south-east.

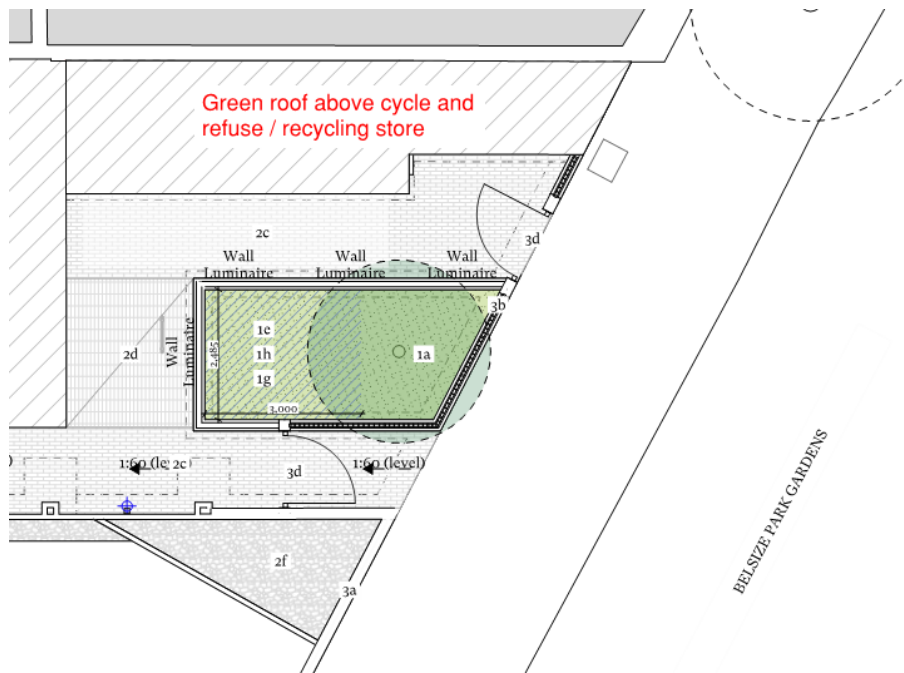


Figure 16 – landscaping plan for front of site

10.8 Overall, it is considered that the proposed works would positively contribute to the property’s visual appearance on the street, which would preserve and enhance the Belsize Park Conservation Area.

## 11 ENERGY AND SUSTAINABILITY

11.1 In November 2019, Camden Council formally declared a Climate and Ecological Emergency. The council adopted the Camden Climate Action Plan 2020-2025 which aims to achieve a net zero carbon Camden by 2030.

11.2 In line with London Plan (LP) policies, SI1, SI2, SI3, SI4, SI5 and SI7 and Camden Local Plan (CLP) policies CC1, CC2, CC3, and CC4, development should follow the core principles of sustainable development and circular economy, make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

11.3 The retention and improvement of the existing building (rather than demolition) is welcomed in terms of resource efficiency and whole life carbon and is in accordance with ‘part e’ of Policy CC1 Climate change mitigation.

### ***Energy and carbon reductions***

#### Energy and carbon summary

11.4 The following summary table shows how the proposal performs against the policy targets for operational carbon reductions in major schemes, set out in the London Plan and Camden Local Plan.



<b>Policy requirement (on site)</b>	<b>Min policy target</b>	<b>Proposal reductions</b>
Total carbon reduction: LP policy SI2 and LP CC1	35%	43.6 %
Be lean stage (low demand): LP policy SI2	15%	30.6 %
Be green stage (renewables): CLP policy CC1	20%	18.7 %

*Table 1 - Carbon saving targets (for majors) and the scheme results*

11.5 The operational carbon savings and measures set out below will be secured under an Energy and Sustainability Plan secured by Section 106 legal agreement which includes monitoring, in compliance with the development plan.

Total carbon reductions

11.6 Reductions are measured against a baseline which are the requirements set out in the Building Regulations. Major development should aim to achieve an on-site reduction of at least 35% in regulated carbon emissions below the minimums set out in the building regulations (Part L of the Building Regulations 2021). As this is a conversion and refurbishment, no carbon offset payment is required.

11.7 In this case, the development significantly exceeds the policy target of 35% reductions, achieving an overall on-site reduction of 43.6% below Part L requirements as shown in Table 1 above.

Be lean stage (reduce energy demand)

11.8 London Plan policy SI 2 sets a policy target of at least a 15% reduction through reduced energy demand at the first stage of the energy hierarchy.

11.9 In this case, the development significantly exceeds the policy target, reducing emissions by 30.6% (at this stage) through energy efficient design, in compliance with the development plan. The proposals involve insulation to the external walls, ground floor slab and roof, low air permeability, efficient glazing and addresses the requirements of the cooling hierarchy and overheating to minimise the use of active cooling in the development. The proposal includes energy efficient measures like MVHR, ASHPs and low energy light fittings. In addition, the lighting would switch off after a predetermined period of absence to prevent lights remaining on in unoccupied spaces.

Be clean stage (decentralised energy supply)

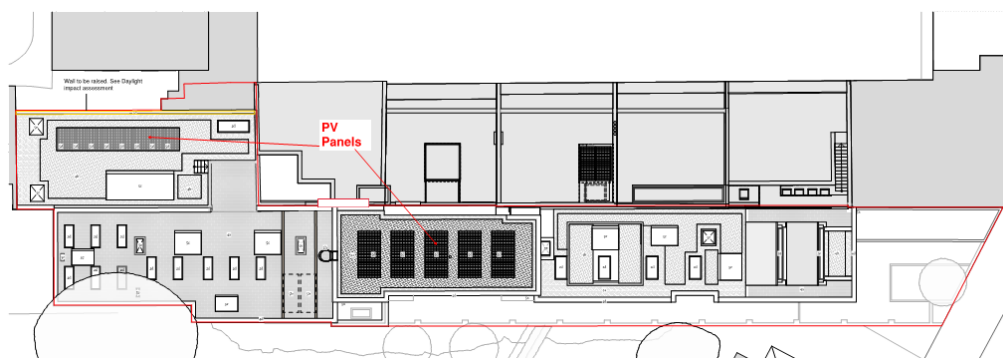
11.10 London Plan Policy SI3 requires developers to prioritise connection to existing or planned decentralised energy networks, where feasible, for the second stage of the energy hierarchy. Camden Local Plan policy CC1 requires all major developments to assess the feasibility of connecting to an existing

decentralised energy network, or where this is not possible establishing a new network.

- 11.11 The closest heat network to the site with sufficient peak installed capacity to meet the sites peak demand is at the Royal Free Hospital, Pond Street. The shortest route of connection to the existing heat network site is located 767m from the site. Furthermore, this is a natural gas fired CHP installation generating high grade LTHW temperatures.
- 11.12 Should a future connection to a low carbon intensity and closer to ambient temperature heat network be feasible once the ASHPs reach the end of their service life the plant installations could be adapted to allow connection to be made to such a network.

Be green stage (renewables)

- 11.13 Camden Local Plan policy CC1 requires all developments to achieve a 20% reduction in CO2 emissions through renewable technologies (after savings at Be Lean and Be Clean), where feasible, for the third stage in the energy hierarchy.
- 11.14 In this case, the development falls slightly short of the policy target of 20%, reducing emissions by 18.7% through renewables. The proposal would include 23 PV panels on the roof. Eight of these panels were introduced following officer feedback that the policy target had not been met. The applicant's energy consultant has considered the provision of further PV panels. However, there is limited opportunity to relocate and consolidate the 7 MVHR units to allow for additional PV panels and overshadowing means that significant areas of the roof would not be suitable for PV panels. It is accepted that the 18.7% CO2 reduction through renewables is the maximum that can be achieved on this site and this is considered acceptable in this instance.



*Figure 17 – location of PV panels*

- 11.15 Full details of the PV panels would be secured by condition [Condition 9]. A condition will be added to secure a meter to monitor the energy output from the approved renewable energy systems [condition 9]. The proposal includes low carbon heating in the form of ASHPs.

Be seen (energy monitoring)

- 11.16 The London Plan policy SI 2 requires the monitoring of energy demand and carbon emissions to ensure that planning commitments are being delivered. Extensive metering would be provided to allow the building users to track energy use and the Building Energy Management System would allow for simple graphical analysis of the building performance and allow any anomalies to be reviewed.
- 11.17 The Energy and Sustainability Plan secured by Section 106 legal agreement will secure reporting to the GLA in line with their published guidance.

***Climate change adaption and sustainable design***

- 11.18 Local Plan policy CC2 expects non-residential development to meet BREEAM Excellent. The site currently targets a score of 71.69%, which equates to an 'Excellent' rating and the applicant is exploring potential options for securing additional credits to establish a buffer of 3-5%.
- 11.19 In terms of the cooling hierarchy, the form and orientation of the building are set by the existing structure. However, the overall demand for cooling has been minimised by window openings which balance the need for daylight with solar gain. The replacement of the existing fully glazed dual pitch roof with a sawtooth roof incorporating north facing glazing is one example of how thermal modelling has influenced the design of the building. The green roof would also have a cooling effect.
- 11.20 Active cooling is required as passive ventilation is restricted for many rooms where either their function would not allow the use of openable windows (e.g. music practice rooms) or the windows are located within party walls (which restricts the presence of openable windows) or along external escape routes that require fire compartmentation to be maintained. Cooling would be provided by the use of the ASHPs and a dedicated cooling buffer vessel which would provide underfloor cooling. Small supplementary fan coil units would also be required in some rooms. These should only be needed during the peak summer months when there is a chance that the underfloor cooling is not able to meet the cooling demand.

***Flood risk***

- 11.21 The development plan (CLP policy CC3 and LP policy SI12 and SI13) also seeks to ensure development does not increase flood risk, reducing the risk of flooding where possible. Development should incorporate sustainable drainage systems (SUDS) and water efficiency measures.
- 11.22 A green roof (280sqm) would be installed on a large proportion of the existing roof. Details of the green roof would be secured by condition [Condition 10]. In addition, permeable paving (2.6sqm) and a rainwater garden at the front of the site are proposed. These measures would reduce surface water runoff as far

as possible in comparison to the current drainage strategy. Although the site would not achieve greenfield run off rates, it is accepted that this run-off reduction is the greatest that could be achieved in the context of a conversion. The SUDS would be secured by condition [Condition 11]

Return Period	Existing Runoff Rate (l/s)	Proposed Runoff Rate (l/s)	Betterment (%)
1Year	8.9	4.3	51.6% Reduction
30 Year +35%CC	16.2	11.5	29.0% Reduction
100 Year +40%CC	18.5	12.9	30.2% Reduction

Table 1. Existing vs Proposed runoff rates

11.23 Belsize Park Gardens is identified as being a previously flooded street, having flooded in 1975. The project architect has confirmed that the finished floor level of the building is c. 240mm above the pavement. As an existing building with relatively low ceilings, raising thresholds further would be problematic and could threaten the accessibility of the building, disadvantaging disabled people.

**Water usage**

11.24 The water demand for the building would be managed by the use of low water volume appliances and fittings in conjunction with Automatic Flow Limiting Valves (AFLVs) where required. In line with BREEAM, this will provide a 40% reduction on the BREEAM Baseline water usage. In addition, water monitoring and metering will be provided to ensure that water leaks are identified and reported.

**Air Quality**

11.25 An air quality assessment has been submitted. Air quality monitoring data indicate that whilst air quality within the local area can sometimes be poor at roadside and kerbside locations, background pollutant concentrations in the vicinity of the site are likely to be well below the relevant UK Air Quality Standard concentrations. Therefore, the area is not considered to have poor air quality and would be suitable for an educational use.

11.26 While there would be small scale demolition, the overall dust risk would be low during demolition and construction. No real time air quality monitoring is required but appropriate mitigation should be secured in the Construction Management Plan which would be secured by the legal agreement.

11.27 The proposals are for non-combustion heating and therefore would not increase air pollution. The proposals are effectively car free and are therefore considered to be air quality neutral for both transport and building emissions in accordance with LP policy SI 1 'Improving Air Quality'.

## 12 TRANSPORT

### ***Trip generation***

- 12.1 The application site would have a capacity for 200 Students and 30 FTE staff (although this capacity is not expected to be reached until 2030). The CLP identifies the area as being particularly sensitive to school expansion, and so applications can only be supported where the transport and amenity impacts are acceptable. A Transport Assessment (TA) has been submitted which includes details of trip generation analysis for the proposed development. To understand the mode share and volume of trips anticipated to be produced by students based at the application site, a student travel survey of the existing Fine Arts College at 41-43 England's Lane, was conducted on Friday 26th May 2023. The travel mode share derived from the survey results was applied to proposed student numbers.
- 12.2 Using this trip generation model, it is predicted that the majority of students would travel to and from the site by sustainable transport modes (rail, tube, bus, cycle and walking). A total of 178 students trips to the application site and 194 from the application site are expected to be made by sustainable transport modes. Only 22 student trips to the site and six from the site are expected to be car passenger trips. This demonstrates a significant volume of walking trips are anticipated to be taken from Belsize Park, Swiss Cottage and Chalk Farm London Underground stations, local bus stops and Hampstead Heath London Overground Station.
- 12.3 The acceptability of transport and amenity impacts is based on a maximum 200 students at the site as set out in the application. To ensure that the site does not operate beyond the number of students which have been assessed as acceptable, a condition would be included capping the number of students at the site to 200 [Condition 13].
- 12.4 The number of students at England's Lane would increase slightly as a result of this application. The maximum number of students would increase from 180 to 200 students. Transport officers have confirmed that this small increase does not raise any significant transport concerns and that a Travel Plan (see below) would help to reduce the volume of school drop offs and pick-ups. The School Management Plan (secured by legal agreement) would ensure that the overall number of students does not exceed 400 (200 at the application site and 200 at the England's Lane site).

### ***Walking, Cycling and Road Safety Scheme on Haverstock Hill & Rosslyn Hill***

- 12.5 The Camden Transport Strategy (CTS) Delivery Plan 2022/23 - 2024/25 features a trial '*Walking, Cycling and Road Safety Scheme on Haverstock Hill & Rosslyn Hill*' which, after a consultation in the summer of 2023, is now

confirmed permanent. The construction works are intended to start in Spring 2024, and will include:

- Segregated cycle lanes on either side of Haverstock Hill / Rosslyn Hill separated by raised kerbs.
- Junction improvements at Rosslyn Hill / Pond Street and Haverstock Hill / England's Lane.
- Shared use bus boarders at two bus stops – where cyclists can continue in front of the bus stop.
- 24/7 bus lane on a section of Rosslyn Hill northbound.
- Relocated parking on side streets, including disabled bays.
- Adding new green spaces, benches, and cycle parking facilities.
- Changing the raised zebra crossing on Haverstock Hill, outside Royal Free Hospital, to a raised signalized crossing.
- Adding one new bike hangar on Parkhill Road.
- Upgrading Bus Stop W, N and K, outside 139, 140 and 191 Haverstock Hill respectively, from a shared use bus boarder to a bus bypass where cyclists can continue their journey behind the bus stop.
- Adding new disabled bays, loading bays, and paid for bays.

12.6 Considering the intensification of the site with respect of pedestrian and cycle trips, a developer contribution of £75,000 would be sought towards the delivery of that scheme to mitigate the scheme's impact. This would be secured by the legal agreement.

***Belsize / Steele's Village area scheme***

12.7 In addition, this location is at the centre of an area-wide "Safe & Healthy Streets" project (including traffic-reduction measures, Healthy Streets and public realm, neighbourhood level walking and cycling improvements) within the current CTS Delivery Plan, named the Belsize / Steele's Village area scheme. Again, given the potential impact and increased priority for such a local walking, cycling and public realm/environmental scheme, a contribution of £80,000 will also be sought towards that intervention from this development, also secured by the legal agreement.

***Travel planning***

12.8 A draft Travel Plan was submitted in support of the planning application. This is welcomed as it demonstrates a commitment to encouraging and promoting trips by sustainable modes of transport. However, the projected modal share for cycling and walking is lower than expected. Modal share projections for walking and cycling will need to be in accordance with Camden's Transport Strategy and the Mayor's Transport Strategy.

12.9 A Travel Plan and an associated monitoring and measures contribution of £11,221 will be secured by legal agreement if planning permission is granted. The Travel Plan will be targeted towards staff and pupils.

### ***Cycle parking***

- 12.10 The Council requires high quality cycle parking to be provided in accordance with Local Plan Policy T1 and London Plan Policy T5 for school use as follows:
- 1 space per 8 FTE staff + 1 space per 8 students, long stay,
  - 1 space per 100 students, short stay.
- 12.11 Thirty long stay secure and covered cycle parking spaces are proposed in the form of two-tier cycle racks. One Sheffield stand (two short stay cycle spaces) would be positioned on the hardstanding at the front of the site. The cycle parking would meet the requirements of LP Policy T5 and would be secured by condition [Condition 14].
- 12.12 It is accepted that 5% non-standard cycle provision and 20% Camden M or Sheffield stands would not be possible due to the space constraints of the site. For example, options to bring cycle parking inside the main building were explored but discounted due to the loss of learning space within the building.

### ***Car parking and vehicle access***

- 12.13 The site is located in Controlled Parking Zone (CPZ) CA-B Belsize, which operates 08:30-18:30 Monday to Friday and 09:30-13:30 on Saturday. There is also pay and display with a maximum stay of four hours. The site does not benefit from vehicular access.
- 12.14 The development is proposed car-free, which would be secured by legal agreement if planning permission were granted.

### ***CPZ review***

- 12.15 In 2023 the Council carried out a study of all Controlled Parking Zones in the Borough to establish which CPZs should be identified for “pro-active” reviews (as opposed to purely “reacting” to requests from stakeholders). This analysis identified CPZ CA-B as being a “medium” priority for a CPZ review, recognising parking challenges in the area including that the “hours of operation do not target the school run” and “high demand for existing paid for parking bays”. As most of the “high” priority CPZ reviews have now taken place, the review for CA-B will likely take place in the next two financial years.
- 12.16 This development will contribute to the need to undertake a CPZ review in this area due to potential changes during the “school-run” and therefore a contribution of £20,000 towards undertaking the CPZ review would be secured by legal agreement if planning permission were granted.

### ***Provision of disabled on-street parking space***

- 12.17 London Plan Policy T6.5 ‘Non-residential disabled persons parking’ states: ‘...all non-residential elements should provide access to at least one on or off-street disabled persons parking bay’.

12.18 While there are two disabled on-street car parking spaces within 50m distance from the proposed site, the proposal will increase trips to and from the site, with some of the journeys taken by staff, evening attendees or parents dropping off or picking up their children, likely to result in demand for disabled parking. 'National disability, accessibility and blue badge statistics: 2021 to 2022' published on 18 January 2023, report that on 31 March 2022, 4.3% of the population held a Blue Badge, an increase of 3.6% since March 2021.

12.19 Considering the anticipated staff (30) and evening class visitors, the proposal has a potential to generate demand for four disabled parking spaces. It is also noted that neither Belsize Park, Chalk Farm nor Swiss Cottage London Underground stations offer step free access. Therefore, it is considered appropriate to seek an off-site contribution of £4,000 for a disabled parking space to be provided on the public highway to address the impact on disabled people – disability being a protected characteristic. This would be secured by legal agreement if planning permission were granted.

***Electric vehicle charging point and bay***

12.20 Officers expect most visitors to travel to the site by sustainable modes of transport. However, there is potential for some visitors with electric vehicles to drive to the site with a view to parking in an 'Electric Vehicles Only' parking bay in the controlled parking zone. This would put pressure on infrastructure which has been provided primarily for local residents. Officers therefore suggest that an additional electric vehicle charging infrastructure (fast charger) be provided on the public highway in the general vicinity of the site (e.g. Belsize Park Road). A financial contribution of £20,000 would be secured by legal agreement if planning permission were granted.

***Construction management plan***

12.21 In order to manage and mitigate the construction impact of this scheme, the Council will require a Construction Management Plan (CMP) and a CMP implementation support contribution of £4,194, to support the review and approval of the submitted draft CMP, to be secured by legal agreement. The applicant will also be required to pay a Construction Impact Bond of £8,000. This would be secured by legal agreement. The bond will be fully refundable on completion of works, with a charge only being taken where contractors fail take reasonable actions to remediate issues upon notice by the Council.

12.22 A further requirement to form a Construction Working Group consisting of representatives from the local community prior to commencement of demolition or construction will also be secured by legal agreement if planning permission is granted.

***Deliveries and servicing***

12.23 A draft Delivery and Servicing Plan (DSP) was submitted with the application.



- 12.24 Delivery, servicing, and refuse collection will take place on-street, in line with existing arrangements for the '81b site'. Two deliveries and one refuse collection are expected to occur each day. The majority of the deliveries will utilise cars and light goods vehicle (LGV).
- 12.25 A final version of the DSP will be secured by legal agreement if planning permission is granted. This will help to ensure that any operational impacts associated with delivery and servicing movements could be mitigated, and it can be updated in future if circumstances change.

#### ***Highway works contribution***

- 12.26 The proposal would not require any physical alterations to the public highway, and it is felt that a highways contribution is not required or proportionate on this occasion.

#### ***Micromobility improvements***

- 12.27 Parking bays for dockless rental e-bikes and rental e-scooters are located nearby. However, these merely provide capacity for existing usage by residents and people who work in or visit the area. Officers anticipate significant demand for more parking bays to be provided in the area should planning permission be granted. A cycle/e-scooter hire improvements contribution of £5,000 would therefore be secured by legal agreement if planning permission is granted. This would allow the Council to provide additional capacity for the parking of dockless rental e-bikes and rental e-scooters in the local area (e.g. by expanding existing bays and providing additional bays). Officers anticipate staff and visitors using these modes of transport as an alternative to public transport, especially when their primary mode of transport is rail with a secondary trip by bus.

#### ***Conclusion***

- 12.28 Overall, the scheme will have impacts on transport, but these impacts will be mitigated through a significant package of transport contributions. As such, the scheme to expand an existing school to a new site in Belsize would be adequately mitigated and so would comply with the development plan

### **13 TREES AND BIODIVERSITY**

#### ***Trees***

- 13.1 One cat. C tree (low quality), T1 – cherry, is proposed for removal in order to facilitate development. T1 is highly visible from the public realm but is of congested form and growing in a position unsustainable in the long term due to the proximity of neighbouring structures. The crown of the tree consists largely of dense, small diameter regenerative growth. The loss of amenity and canopy cover could be mitigated against through replacement planting.

- 13.2 The scheme involves access facilitation pruning to off-site trees T2 and T5. Tree T2 is located in the garden of 83 Belsize Park Garden and T5 is in the communal garden to the south. Both trees are close to the boundary with the application site and pruning is required to facilitate development. This would not be harmful to the amenity the trees provide or the long-term health of the trees. Tree pruning works on land that falls within the ownership of 83 Belsize Park Gardens or the ownership of the communal gardens will require the agreement of the respective owners.
- 13.3 The impact of the scheme on the trees to be retained would be acceptable. The tree protection measures are considered sufficient to demonstrate that the trees to be retained would be adequately protected throughout development. These measures would be secured by condition [Condition 15].
- 13.4 A semi-mature Scots pine (*Pinus sylvestris*) is proposed in the front garden of the property to mitigate the loss of T1. While the nature conservation benefits of pines trees are generally lower than native broad-leaved tree, the year-round air quality benefits, carbon sequestration and the amenity provided by pine trees are all considered significant. Scots pine trees are also drought resistant and are considered to be an appropriate species for the future climate. The tree proposed is 25-30cm in circumference which is considered large. The instant impact provided by a semi-mature tree is at the expense of ease of establishment. A maintenance plan has not been submitted and the proposed tree would require at least 5 years of aftercare including watering to ensure successful establishment. A landscaping maintenance plan would be secured by condition [Condition 16 & 17]

### ***Biodiversity***

- 13.5 A preliminary ecological appraisal has been submitted. The building was categorised as having low potential to support roosting bats. In addition, a nocturnal bat survey has been undertaken. No bats were observed emerging from the site during the survey, and no bats were recorded within the surrounding area. Nevertheless, any proposed exterior lighting should be designed and managed to ensure that the area remains suitable for foraging bats. Details of external lighting would be secured by condition [Condition 18].
- 13.6 The rear of the side (east) elevation facing towards the communal garden is covered in ivy. This would need to be removed to facilitate development as well as the general management of the building. Removal of the tree, ivy and other vegetation should be scheduled between the months of September and February, outside the breeding bird season (an informative confirming this will be included on the decision notice).
- 13.7 The ecological appraisal recommends that native British species are incorporated within the planting scheme for the final landscaping design in order to enhance the overall value of the site for biodiversity. Species should

be selected from recommendations made in the Camden Biodiversity Action Plan. This would be secured by condition [Condition 16].

- 13.8 A 280sqm green roof is proposed with a substrate depth of 150mm. The ecological appraisal recognises that a green roof would be beneficial for biodiversity. Details of the green roof would be secured by condition [Condition 10].
- 13.9 There would be some loss of potential bird breeding habitat due to the loss of the ivy. Green trellises are proposed for the side (east) elevation of the building to introduce greenery into the entrance walkway. Ivy should be planted on the trellises to provide bird breeding habitat.
- 13.10 As the building has a brick finish bird and bat boxes should be incorporated into the fabric of the building (2 for bats and four for birds). This would be secured by condition [Condition 19].
- 13.11 A Biodiversity Net Gain (BNG) assessment has been undertaken even though there is not currently a requirement to do so. As the existing site has a very low baseline, the net gain of 10% has been significantly exceeded.
- 13.12 Subject to the conditions set out above, the site would comply with Policy A3 Biodiversity.

### ***Urban Greening***

- 13.13 Policy G5 of the London Plan states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.
- 13.14 An Urban Greening Factor (UGF) assessment has been undertaken. The UGF factor of 0.322 is acceptable for a non-residential development given the policy target of 0.3.

## **14 CONTAMINATED LAND**

The site is indicated to be in the location of or in close proximity to former garages (including a motor repairs garage). The change of use is not considered to introduce a more sensitive receptor to the site, and the proposed soft landscaping is understood to be within planters, and not in direct contact with the underlying soils. Hence, there is a low risk from the proposed development. Nevertheless, a condition is recommended requiring a full assessment and remediation plan to be implemented if potential contamination is encountered during the development [Condition 26].

## **15 FIRE**

- 15.1 The London Plan requires all major developments to submit a Fire Statement. The submitted Fire Statement has been written by a suitably qualified assessor with qualifications in line with the draft 'Fire Safety' London Plan Guidance. Mobility impaired occupants will be provided with refuge area on the upper floors, protected from the effects of a fire. Refuges would be provided with an emergency voice communication (EVC) system. A Generic Emergency Evacuation Plan (GEEP) would be developed for building occupants who would require assistance to escape. Individual PEEPs will be developed for disabled people who are regularly in the premises (such as staff and regular visitors) or for visitors to the premises who have made themselves known to staff. A fire evacuation lift would be provided (adjacent to the central staircase) in accordance with LP Policy D5. The provisions of the Fire Statement would be secured by condition [Condition 20].

## **16 COMMUNITY INFRASTRUCTURE LEVY (CIL)**

- 16.1 The CIL applies to all proposals which add 100m<sup>2</sup> of new floorspace or an extra dwelling. No new floorspace is proposed so the development will not be CIL liable.

## **17 CONCLUSION**

- 17.1 The leisure use was marketed for 3 years and following the 2020 changes to the Use Classes Order, the lawful use of the property now falls within Class E, meaning that it could be used for other Class E uses (such as a nursery) without planning permission. In terms of the loss of permitted housing approved by virtue of a prior approval, the loss relates to 3 oversized single aspect flats without external amenity space and with poor outlook. Moreover, the prior approval is subject to a condition that the development must be completed within a period of 3 years from March 2022. This is very unlikely given the time constraints and the site is unlikely to be developable for housing before the prior approval expires. Therefore, the loss of the existing use and the permitted housing use would be acceptable. The conversion to educational floorspace is supported as it would allow the nearby Fine Arts College to accept a greater number of students and provide a dedicated 6<sup>th</sup> form site with minimal impact on neighbouring amenity and an acceptable impact on transport infrastructure. Furthermore, financial contributions to transport infrastructure and necessary pedestrian cycling and environmental improvements have been secured. The front elevation of the existing building has a poor appearance and the proposed alterations to the front and side elevations and roof would significantly improve the appearance of the host property and would preserve and enhance the conservation area. As such, the proposed development complies with the development plan as a whole, and accords with the policies in the Camden Local Plan 2017, the London Plan 2021 and the NPPF.

### ***Public benefits***

17.2 No harm has been identified to heritage assets but if the committee decides there is harm, there are a number of public benefits that could weigh against that harm.

- The conversion of the existing building would bring back into use a narrow, largely landlocked property which has been vacant for 7 years.
- The proposed alterations to the building and particularly the front elevation would transform the unkept appearance of the property and would provide a positive heritage benefit to the conservation area.
- The expansion of the Fine Arts College would allow the school the opportunity to improve its facilities and would 'widen choice in education' in accordance with the NPPF.
- By retaining and improving the existing building, the development would optimise resource efficiency and reduce its embodied carbon impact.
- The use of Air Source Heat Pumps and Photovoltaic Panels would help to reduce heating and energy demands and the removal of fossil fuel burning equipment from the building would reduce CO2 emissions. The proposed energy measures would reduce total CO2 emissions by 43.6 %. In addition, the introduction of green roofs would provide ambient cooling effects.
- The sustainable drainage system would reduce surface water run-off by 51.6% (1 year return period) and would include 280sqm green roofs.
- The site would provide biodiversity benefits, including 2 bat boxes and four bird boxes, 280sqm green roofs, a planting scheme that would include native British species and a Biodiversity Net Gain significantly greater than 10%.
- Transport contributions have been negotiated to help manage the impacts of the development and which would assist the delivery of necessary infrastructure in the local area including a Pedestrian, Cycling and Environmental Improvements contribution of £155,000, £20,000 for an electric vehicle charging point and bay, £20,000, for a CPZ review, £5k for parking bays for dockless rental e-bikes and rental e-scooters and £4k for a disabled parking space.

## **18 RECOMMENDATION**

18.1 Grant conditional Planning Permission subject to a Section 106 Legal Agreement with the following heads of terms:

- School management plan (to include 400 cap on overall student numbers)
- Energy and sustainability plan
- Construction Management Plan (CMP) and Construction Working Group
- CMP implementation support contribution of £4,194
- CMP Impact Bond £8,000

- Travel plan and associated monitoring and measures contribution of £11,221
- Off-site disabled parking space £4,000
- Off-site electric vehicle charging point and bay £20,000
- Delivery and servicing plan
- Pedestrian, cycling and environmental improvements £155,000.
- Micromobility improvements £5,000.
- Controlled parking zone review £20,000
- Car free

## **19 LEGAL COMMENTS**

19.1 Members are referred to the note from the Legal Division at the start of the Agenda.

1	<p><b>Three years from the date of this permission</b> This development must be begun not later than three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p><b>Approved drawings</b> The development hereby permitted shall be carried out in accordance with the following approved plans and documents:</p> <p>Existing drawings: 4279 CDC XX: RL DR A (EX) 000 D; RL DR A (EX) 000 D; GR DR A (EX) 100 E; UG DR A (EX) 105; 01 DR A (EX) 110 E; RL DR A (EX) 120 E; 03 DR A (EX) 130 E; RL DR A (EX) 140 E; XX DR A (EX) 300 D; XX DR A (EX) 319; XX DR A (EX) 329; XX DR A (EX) 400 E; XX DR A (EX) 410 C; XX DR A (EX) 440</p> <p>Demolition drawings: 4279 CDC XX RL DR A (DM) 000 A; XX DR A (DM) 400 A; XX DR A (DM) 410 A</p> <p>Proposed drawings: 4279 CDC XX: DR A (GA) 430 C; RL DR A (GA) 140 N; 01 DR A (GA) 130 N; XX DR A (81) 400 G; ZZ DR A (81) 100 D; XX DR A (GA) 400 I; GR DR A (GA) 100 K; XX DR A (GA) 329; XX DR A (GA) 319; XX DR A (GA) 300 G; 01 DR A (GA) 120 I; 01 DR A (GA) 110 I; GR DR A (GA) 105 F; RL DR A (GA) 000; GF DR A (97) 100 G</p> <p>Supporting documents: Biodiversity Gain Plan and Urban Greening Factor Review prepared by MKA Ecology dated 16 August 2023; Nocturnal Bat Survey prepared by MKA Ecology dated 16 August 2023; Preliminary Ecological Appraisal and Preliminary Roost Assessment prepared by MKA Ecology dated 16 August 2023; Marketing Report prepared by DWD dated Aug 2023; Design &amp; Access Statement prepared by CDC Studio dated Aug 2023; Daylight and Sunlight Assessment prepared by T16 Design dated Aug 2023; Draft School Travel Plan prepared by Robert West dated Aug 2023; Delivery, Servicing and Refuse Management Plan prepared by Robert West dated Aug 2023; CMP pro forma completed by Robert West Consulting dated 16/08/23; Air Quality Assessment prepared by Phlorum dated July 2023; Preliminary BREEAM Assessment prepared by Eight Versa dated 27/02/2023; Energy &amp; Sustainability Statement prepared by Max Fordham dated 16 Aug 2023; Fire Planning Statement Rev C prepared by Osborn Associates dated Aug 2023; Flood Risk Assessment and Drainage Strategy P4 prepared by MHA Structural Design dated 22/1/24; Noise Impact Assessment prepared by Max Fordham dated 11 Aug 2023; Sustainability pro forma; Arboricultural Survey Impact Assessment &amp; Method Statement prepared by Marcus Foster dated Aug 2023; Urban Greening Factor calculations; Response to Public Comments prepared by DWD dated 11/12/2023; Transport Assessment prepared by Robert West dated Dec 2023; Designing Out Crime Response prepared by CDC Studio dated 08/01/24; Security, Access Control &amp; CCTV Level 00; 4279 CDC XX 00 DR A SK 001 240108 Rev A; SECURITY NEEDS ASSESSMENT prepared by Cornerstone dated 15 June 2023; 4279 CDC XX XX DR A (SK) 240105; DESIGN</p>

	<p>BRIEFING NOTE 01 - UNDERFLOOR COOLING prepared by Max Fordham dated June 2023; Planning Statement and Heritage Assessment prepared by DWD dated January 2024</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>Detailed Drawings</b></p> <p>Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:</p> <p>a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;</p> <p>b) Manufacturer's specification details of all facing materials including the colour of the render (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).</p> <p>The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.</p> <p>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.</p>
4	<p><b>Sample panel of brickwork</b></p> <p>Before the brickwork is commenced, a sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.</p> <p>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.</p>
5	<p><b>External face of building</b></p> <p>No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings.</p> <p>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.</p>



6	<p><b>Obscure glazed windows</b></p> <p>Prior to the first occupation of the development hereby approved, the first, second and third floor windows on the side (east) elevation, as shown on drawing 4279 CDC XX XX DR A (GA) 400 B Revision I, shall be fitted with obscure glass (the glazing should be sandblasted or have an acid etched finish so that it is opaque) and be non-opening, and the windows shall be retained as such thereafter.</p> <p>Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with policy A1 of the Camden Local Plan 2017.</p>
7	<p><b>Waste and recycling storage</b></p> <p>The waste and recycling storage shown on the approved plans (4279 CDC XX XX DR A (81) 400 Rev G and 4279 CDC XX ZZ DR A (81) 100 Rev D) shall be provided prior to the commencement of the use hereby permitted, and shall be permanently retained thereafter.</p> <p>Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1, D1 and D2 of the London Borough of Camden Local Plan 2017.</p>
8	<p><b>Designing out crime</b></p> <p>The development hereby approved shall incorporate the security recommendations set out in the Security Needs Assessment prepared by Cornerstone dated 10/07/2023 and shall include the security features shown on the Designing out Crime Ground floor plan: 4279 CDC XX 00 DR A SK 001 240108 Rev A and Security, Access Control &amp; CCTV Level 00: J7268-MXF-ZZ-00-DR-E-60100 Rev P03 and the security features shall be retained and maintained thereafter.</p> <p>Reason: To ensure the development minimises crime and antisocial behaviour in accordance with policy D1 of the Camden Local Plan 2017.</p>
9	<p><b>PV panels</b></p> <p>Prior to the commencement of use, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall be submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The development shall not be occupied until the relevant approved details have been implemented and shall be permanently retained and maintained thereafter.</p> <p>Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of Policy CC1 and CC2 of the London Borough of Camden Local Plan 2017.</p>

10	<p><b>Biodiverse roof</b></p> <p>Prior to commencement of any roof works, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include</p> <ol style="list-style-type: none"> <li>i. a detailed scheme of maintenance</li> <li>ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used and showing a minimum substrate of 150mm and a variation of substrate depth with peaks and troughs</li> <li>iii. full details of planting species and density</li> </ol> <p>The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.</p> <p>Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, CC2 and CC3 of the London Borough of Camden Local Plan 2017.</p>
11	<p><b>Sustainable drainage</b></p> <p>Prior to commencement of use, the sustainable drainage system as approved (as set out in the Flood Risk Assessment and Drainage Strategy P4 with appendices prepared by MHA dated 22/1/2024) shall be installed as part of the development to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change, such that flooding does not occur in any part of a building or in any utility plant susceptible to water and to achieve run-off rates of 12.9l/s in a 1 in 100 year rainfall event with +40% allowance for climate change.</p> <p>The system shall include permeable paving with at least 2.6sqm of attenuation, at least 280sqm of green roofs and a rain garden as stated in the approved drawings and shall thereafter be retained and maintained in accordance with the approved maintenance plan.</p> <p>Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.</p>
12	<p><b>Hours of use</b></p> <p>The use of the site for teaching shall only be carried out between 07:30 to 20:00 hours Mondays to Fridays and not at all on weekends or Bank Holidays. The building shall not be used by anyone other than school staff after 20:00 hours Mondays to Fridays, and at any time on weekends and Bank Holidays.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
13	<p><b>Student capacity</b></p> <p>The student capacity of 81 Belsize Park Gardens shall not exceed 200 students.</p>

	<p>Reason: To ensure that the development would not increase pressure on the transport network or harm neighbouring amenity in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017 and Policy T4 of the London Plan 2021.</p>
14	<p><b>Cycle storage</b></p> <p>Prior to first occupation, the secure and covered cycle storage area for 30 cycles (long stay) and two short stay cycles hereby approved (as shown on drawing numbers: 4279 CDC XX XX DR A (81) 400 Rev G and 4279 CDC XX ZZ DR A (81) 100 Rev D) shall be provided in its entirety and permanently retained thereafter.</p> <p>Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.</p>
15	<p><b>Tree protection</b></p> <p>Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Survey, Impact Assessment, and Method Statement Report dated August 2023 by Marcus Foster Arboricultural Design and Consultancy. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.</p> <p>Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.</p>
16	<p><b>Hard and soft landscaping details</b></p> <p>Prior to the commencement of the relevant works, full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall have been submitted to and approved by the local planning authority in writing. Such details shall include:</p> <ul style="list-style-type: none"> <li>- a five year maintenance plan for the new Scots pine tree in accordance with BS8545:2014.</li> <li>- a planting scheme in accordance with the recommendations of the Preliminary Ecological Appraisal prepared by MKA Ecology dated August 2023 hereby approved.</li> <li>- ivy (as climber for trellises)</li> </ul> <p>The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance</p>

	with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.
17	<p><b>Hard and soft landscaping compliance</b></p> <p>All hard and soft landscaping works shall be carried out in accordance with the approved landscape details prior to the occupation for the permitted use of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species.</p> <p>Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.</p>
18	<p><b>Lighting strategy</b></p> <p>Prior to the commencement of use, a lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. Such strategy shall provide details of all external lighting fixtures and fittings and shall demonstrate how their design, location and specification has taken account of biodiversity (including foraging and roosting bats) and reducing light spillage. The development shall not be occupied until the relevant approved details have been implemented. These works shall be permanently retained and maintained thereafter.</p> <p>Reason: To safeguard neighbouring amenity and to conserve biodiversity by minimising light pollution in accordance with the requirements of policy D1, D2, A1 and A3 of the London Borough of Camden Local Plan 2017.</p>
19	<p><b>Bird and bat boxes</b></p> <p>Prior to first occupation of the development a plan showing details of 4 bird and 2 bat box locations and types and indication of species to be accommodated (the boxes to be incorporated into the fabric of the building if feasible) shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.</p> <p>Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan 2021 and Policy A3 of the London Borough of Camden Local Plan 2017.</p>
20	<p><b>Fire statement</b></p> <p>The development must be implemented in accordance with the provisions of the Fire Statement prepared by Osborn Associates dated August 2023 Revision C.</p>

	<p>Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>
21	<p><b>Noise thresholds</b></p> <p>The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical existing background noise level by at least 10dBA, or by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises window or terraces, with all machinery operating together at maximum capacity.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
22	<p><b>Anti-vibration measures</b></p> <p>Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
23	<p><b>Acoustic compliance assessment</b></p> <p>Prior to first occupation, an acoustic report shall be submitted to and approved in writing by the local planning authority. The acoustic report shall assess the cumulative plant noise levels from all plant operating together at maximum capacity to demonstrate compliance with the noise criteria outlined in Condition 21. Should additional mitigation be recommended, approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.</p> <p>Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
24	<p><b>Fire doors</b></p> <p>The existing door (east elevation) that opens onto the communal garden and the door on the Lancaster Stables elevation shall only be used as emergency egress and shall not be used for any other purpose.</p> <p>Reason: To safeguard the amenities of neighbouring occupiers in accordance with the requirements of policies A1 of the London Borough of Camden Local Plan 2017.</p>

25	<p><b>Music / amplified voices</b></p> <p>Neither music nor amplified voices emitted from the development shall be audible at any residential / noise sensitive premises.</p> <p>Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
26	<p><b>Evidence of potential contamination</b></p> <p>If during construction/demolition works, evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the local planning authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the local planning authority.</p> <p>Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous use of the site in accordance with policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.</p>
27	<p><b>Sound insulation</b></p> <p>Before the use commences sound insulation along the party wall shall be provided in accordance with the Noise Impact Assessment prepared by Max Fordham dated 11 Aug 2023. The use shall thereafter not be carried out other than in accordance with the approved scheme. The sound insulation shall be retained for as long as the use operates.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
28	<p><b>Absence detection lighting</b></p> <p>Prior to occupation, all rooms shall be fitted with absence detection lighting to prevent lights remaining on in unoccupied spaces. Such lighting shall thereafter be retained and maintained.</p> <p>Reason: To ensure that the development incorporates energy saving measures and to safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CC1, CC2, A1 and A4 of the London Borough of Camden Local Plan 2017.</p>

## 21 INFORMATIVES

1	<p><b>Highways</b></p> <p>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 &amp; Compliance Team, 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.</p>
2	<p><b>Highways: transport of materials during construction</b></p> <p>In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Engineering Service Network Management team (tel: 020-7974 2410) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site.</p>
3	<p><b>Building control</b></p> <p>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).</p>
4	<p><b>Party wall</b></p> <p>Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.</p>
5	<p><b>Construction management plans</b></p> <p>You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <a href="https://beta.camden.gov.uk/web/guest/construction-management-plans">https://beta.camden.gov.uk/web/guest/construction-management-plans</a> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time</p>

	<p>should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.</p>
6	<p><b>Environmental health</b></p> <p>All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at <a href="http://www.camden.gov.uk">www.camden.gov.uk</a>) 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)</p> <p>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.</p>
7	<p><b>Legal agreement</b></p> <p>Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.</p>
8	<p><b>Vegetation clearance works</b></p> <p>All wild birds, their active nests and eggs are protected under The Wildlife and Countryside Act 1981 (as amended), which makes it an offence deliberately, or recklessly, to kill or injure any wild bird or damage or destroy any active birds' nest or eggs.</p> <p>Where vegetation clearance works are required during the breeding bird season (between the months of March and August inclusive), such works can only proceed following the completion of a nesting bird check undertaken by an experienced ornithologist. Any active birds' nest identified during this check must be protected from harm until the nesting attempt is complete. This will require a buffer to be left around the nest, the size of which will depend upon the species involved. Any buffers established as a result of the initial nesting bird check must be subjected to a second check after the original nesting attempt is completed, before such areas can be removed during the breeding bird season.</p>