

Delegated Report		Analysis sheet	Expiry Date:	14/11/2023
		N/A	Consultation Expiry Date:	05/11/2023
Officer			Application Number(s)	
Edward Hodgson			2023/3891/P	
Application Address			Drawing Numbers	
17 York Way London N7 9QG			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Ground floor alterations, demolition and re-build of 1st and 2nd floors, erection of a mansard roof and three storey side 'infill' extension, retention of public house on ground floor (and basement) and provision of 7 self-contained flats on 1st, 2nd floor and mansard roof levels.				
Recommendation(s):		Refuse planning permission		
Application Type:		Full Planning Application		

Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	5	No. of objections	3

**Summary of
consultation
responses:**

Site notices were displayed on 06/10/2023 which expired 30/10/2023.
A press notice was published on 12/10/2023 which expired 05/11/2023.

A total of 3 letters of objection were received from neighbouring occupiers at 15 York Way, 18a Cantelowes Road and 156 Agar Grove.

Their objections can be summarised as below:

- Impact on local infrastructure including parking for future residents and the construction period
- Noise from the construction and from a larger pub
- Impact on property prices
- Demolition of important local landmark within the conservation area and its association with nearby Caledonian Road Market. The pub retains a large proportion of original features
- Consultation was not sufficient and many residents were not aware of the application
- Most of the historic building would be demolished, and original windows, roof, floor layouts and interior would be removed and the plans are misleading.
- The modern frontage proposed would be a parody and pastiche.
- The added height would destroy the delicate low scale 19th century style of the conservation area, and the roof scape would be altered and would be visible in long views.
- Building over 164 Agar Grove would affect the appearance of the street and block light.
- Pressure on local services from additional residents
- Concerns of trespassing on land when taking out bins and from the fire exit route

Officer's Response:

- *Issues on design and conservation are material planning considerations and are discussed in section 4 of the report.*
- *Transport, parking and the impact of construction are material planning considerations and are discussed in section 9 of the report*
- *Amenity, including overlooking, privacy, noise, loss of light and light pollution is a material planning consideration and is discussed in section 6 of the report*
- *Sustainability, including demolition, is a material planning consideration and is discussed in section 7 of the report*
- *Issues around ownership of land and access are not considered to be material planning considerations and are private matters.*
- *Property values are not a material planning consideration*

2 letters of support were received from nearby occupiers at 149 and 144 Agar Grove, stating that the current building is an eyesore and the proposed plans would update the area and the neighbourhood.

Site Description

The application site is a three-storey plus basement corner building located on the junction between York Way and Agar Grove. It is a typical Victorian pub although it appears that during the 1920s it was updated in the Style Moderne fashion, streamlined with render and channelled spandrels inserted between windows to give a horizontal emphasis.

The site lies within the Camden Square Conservation Area and the Conservation Area Appraisal and Management Strategy states that all properties are considered to make a positive contribution to the character and appearance of the Conservation Area unless listed as neutral or negative. The property is not listed as neutral or negative, and therefore it is a positive contributor.

The property is in use as public house (Sui Generis) with ancillary accommodation at upper floors.

Relevant History

Application Site:

TP58314/11204 - The erection of additional lavatory accommodation at No. 17, York Way, St. Pancras. Granted - 07/11/1950

The following app at 133 Gray's Inn Road refused on 24/11/2022) raised similar planning issues:

2022/3534/P- Partial change of use from pub (Sui Generis) and ancillary accommodation to pub (Sui Generis) and residential (C3) involving the creation of 7 residential units. Erection of three storey rear extension at 1st-3rd floor and two storey roof extension. Erection of rear terraces at 1st-5th floor and ground floor fenestration alterations. Refused 24/11/2022

Relevant policies

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

H1- Maximising Housing Supply
H4 – Maximising the supply of affordable housing
H6 -Housing Choice and Mix
H7 -Large and Small Homes
D1 - Design
D2 – Heritage
A1 – Amenity
A3 – Biodiversity
A4 – Noise and Vibration
CC1 – Climate Change mitigation
CC2 – Adapting to climate change
CC4 – Air Quality
C4 -Public houses
T1 – Prioritising walking, cycling and public transport
T2 – Parking and car-free development
T3- Transport infrastructure
T4 – Sustainable movement of goods and materials
DM1 – Delivery and Monitoring

Camden Planning Guidance

CPG Design (2021)
CPG Transport (2021)
CPG Housing (2021)
CPG Energy efficiency and adaptation (2021)
CPG Amenity (2021)
CPG Community uses, leisure and pubs (2021)
CPG Developer Contributions (2021)

Camden Square Conservation Area Appraisal and Management Strategy 2011

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).

Assessment

1.0. Proposal

- 1.1.** Planning permission is sought for the change of use of the upper floors of the building from ancillary pub accommodation (Sui Generis) to 7 self-contained flats (Class C3). The ground floor and basement floor would remain as a pub. External alterations include the demolition of the first and second floors and the roof and the single storey rear element, as well as the majority of existing windows and surrounds on the York Way and Agar Grove elevations. It is proposed to effectively insert an additional storey to create a four-storey building, and to erect a mansard roof extension and a three-storey side infill extension on the Agar Grove elevation.

1.2. Assessment

The relevant planning consideration for this application are:

- 1) Land Use
- 2) Affordable Housing
- 3) Design and Heritage
- 4) Quality of Residential Accommodation
- 5) Amenity
- 7) Sustainability
- 8) Trees and Biodiversity
- 9) Transport
- 10) Planning Balance
- 11) S106/CIL

2.0. Land Use

- 2.1.** Policy C4 of the Camden Local Plan seeks to protect public houses which are of community, heritage or townscape value. Policy C4 states that "Applications involving the loss of pub floorspace, including facilities ancillary to the operation of the public house, will be resisted where this will adversely affect the operation of the public house." This is further reinforced

in paragraph 4.83 of the supporting text which states that “the partial loss of a pub and ancillary facilities may be detrimental to its character, community value or future viability”. It goes on to comment that “these changes can lead to a pub becoming less profitable and as a consequence, more vulnerable to further redevelopment, potentially leading to a pub being lost altogether”. The harmful impact of the introduction of non-ancillary uses is also recognised: “In some cases the loss of part of a pub may lead to its continuing operation being undermined by the greater likelihood of complaints relating to noise and nuisance from occupants of new non-ancillary uses”.

- 2.2. The application site is not located within a town centre or neighbourhood centre and is not an Asset of Community Value. The pub does not have a beer garden, with only some external pavement seating to the front of the building. There are also no separate meeting or function rooms at the upper floors.
- 2.3. The proposal involves the change of use of the upper floors of the building from ancillary pub accommodation (Sui Generis) to residential (Class C3). The ground and basement floors would remain as a pub, and it is indicated in the supporting documents that a kitchen would be provided at basement level, although this is not shown on the proposed plans. It is understood that the pub currently operates predominantly as a restaurant as well as a bar. The proposed ground floor pub space would equate to 139sqm with 107sqm ancillary pub space at basement level. The residential entrance would be from Agar Grove and separate from the pub entrance, which would be on the corner. A Noise Impact Assessment has been submitted and reviewed by the Council's Environmental Health Officer, who has deemed that the internal noise levels would be acceptable, and it has been demonstrated that sufficient measures including sound insulation would be taken to protect any future residential occupiers.
- 2.4. CPG on public houses states that for the partial loss of pub space, the loss of key supporting elements of a pub such as beer gardens, kitchens, meeting/function rooms and ancillary staff accommodation can undermine its long-term viability. Applicants are not required to provide a viability assessment to justify the loss of ancillary features, however if two or more of the above elements would be lost, the applicant is required to undertake a community survey. The proposal only involves the loss of one element (the ancillary rooms); however, the applicant has still provided a marketing letter, future viability comparative study, an audit of alternative public houses and a statement of community involvement. These documents demonstrate that there are other public houses within the vicinity and in inner London locations that operate successfully with comparable floorspaces and offerings (i.e. kitchen space). As such, given the mitigation measures, and the evidence submitted by the applicant, the Council is satisfied that residential and pub uses could work compatibly in this location, and no objection is raised to the loss of the ancillary pub space.
- 2.5. Policy H1 of the Local Plan states that self-contained housing is the Council's priority land use. As such, the provision of 7 new self-contained units is welcomed. The units would consist of 1x 1b1p, 5x 2b3p, and 1x 3b5p. 2b and 3b units are identified as those being most needed in the borough, as stated in policy H7 of the Local Plan and policy H6 requires a range of dwelling sizes. The range and size of units proposed is considered acceptable.
- 2.6. As such, there is no objection in terms of land use. The proposal is considered to be in accordance with policies H1, H6, H7 and C4 of the Camden Local Plan.

3.0. Affordable Housing

- 3.1. Policy H4 of the Local Plan seeks to secure affordable housing contributions in certain circumstances. The policy only requires a contribution from developments that provide one or more additional homes and more than 100sqm of additional residential floorspace.
- 3.2. The proposal would result in a residential uplift of 527.56sqm. In line with CPG Housing as the increase in residential floorspace has capacity for less than 10 additional homes, a contribution would be accepted instead of on-site provision of affordable housing.
- 3.3. Rounding to the nearest 100 sqm, 528sqm represents capacity for 5 homes, and an affordable housing target of 10% (2% per 100 sqm). The floorspace target would be 10% x 528 sqm = 52.756 sqm. Therefore, the payment-in-lieu would be calculated as:
- 52.756 sqm x £5,000 per sqm = £263,780.
- 3.4. A viability report was submitted which was independently audited by BPS which concluded that the scheme generates a surplus of £788,853 and as such it can contribute towards affordable housing.
- 3.5. Therefore, in this instance, a full policy-compliant contribution of £263,780 would be required. In the absence of an acceptable scheme, and hence no section 106 legal agreement, this forms a reason for refusal.

4.0. Design and Heritage

Policy Background and Designation

- 4.1. Section 72(1) of the Act requires that with respect to any building or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area when considering applications relating to land or building within that area. The effect of this section of the Listed Building and Conservation Areas Act is that there is a statutory presumption in favour of the preservation of the character or appearance of the Conservation Area. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to harm to heritage assets and in what circumstances such harm might be justified.
- 4.2. Policy D1 of the Camden Local Plan requires development to respect local context and character, preserve the historic environment, be sustainable in design and construction, comprise of details and materials that complement the local character, integrate well with surrounding streets and open spaces and preserve strategic and local views. Policy D2 builds on this by requiring development to preserve or enhance the character and appearance of the conservation area.
- 4.3. The Camden Square Conservation Area Management Strategy states that the loss of buildings which make a positive contribution will be resisted unless there are exceptional circumstances which would outweigh the case for retention. The appearance of characterful buildings within the conservation area is harmed by the removal or loss of original architectural features and the use of inappropriate materials. For example, the loss of original joinery, sash windows, front doors, front steps and natural slate roofs, can have considerable

negative impact on the appearance of a historic building and the area. In addition, demand for residential development has led to an increase in proposals for infill buildings and extensions. The capacity for further intensification without causing harm to the area is limited. Camden planning guidance generally indicates that extensions should be subordinate in scale to the host building, and side extensions should be set back from the main front elevation. It also states that gaps between buildings help to soften the urban gain and provide visual interest.

- 4.4. The existing building is a Victorian pub building with a bar at ground level, a very imposing 'piano nobile' function suite at first floor and a subordinate accommodation level on the second floor. Over time, these floors have been converted to ancillary pub accommodation. The first-floor benefits from large window apertures, measuring approx. 2.5m high and the second floor has smaller openings measuring 1.9m high, thus creating a subordinate appearance when read against the lower floors. The external pattern, reflecting the relationship of principal and secondary floors, is clearly legible and all floors benefit from generous floor to ceiling and window heights. Although the building has been altered, most likely in the 1920s, the site represents a historic pub building that makes a positive contribution to the conservation area and is one of three pubs located within the conservation area. The historic form of the building remains legible.

Demolition and additional internal storey

- 4.5. The proposal involves substantial demolition of the existing building, including the existing single storey rear element, the ground, first and second floors internally, and the roof. Almost the entire rear elevation would be demolished, and the windows and surrounding fabric on the York Way and Agar Grove elevations would be demolished. The scheme is at most a façade retention scheme although a large proportion of the façades would be lost. Very little of the existing fabric of the designated positive contributor would be retained and as such, it constitutes substantial demolition. The sustainability impact of the demolition is discussed below in section 7.
- 4.6. The reason for demolishing the interior of the building is to provide an additional storey within its retained façades to provide an additional floor for residential accommodation and the rearrangement of the two street façades to accommodate an additional row of windows to serve this additional floor. The historic form of the building is currently legible including its traditional elevational composition with generous proportions and spacing of windows, principal first floor and subordinate second floor, as discussed in para 4.4. The historic form would therefore be lost, and the proposed design would not resemble that of the existing building and it would be ill-proportioned. The row of additional windows would create crowded elevations, and the relationship between the principal first floor and subordinate second floor would be lost. The ratio between window apertures and solid at the upper floors would be inappropriate when compared to the existing building, with smaller window openings proposed. The historic form and appearance of the Victorian/1920's 'positive contributor' would be lost, thus resulting in less-than-substantial harm to the character and appearance of the conservation area. No exceptional circumstances can be identified in this case that would justify the substantial demolition of the positive contributor.

Mansard Roof

- 4.7. The proposal would involve the erection of a mansard roof extension, set back from the building elevations. The application is already a prominent corner site, and the building's higher parapet and generous floor to ceiling heights help it to read as an imposing corner

building. The addition of a roof extension would therefore make the building more imposing. This is not helped by the scale of the mansard which is considered to be excessive. The floor to ceiling heights of the first, second and third floors would be 2.5m and the floor to ceiling height of the mansard would be 2.7m, thus making it taller than any of residential floors below and would therefore fail to be subordinate to the lower floors. Moreover, the dormers are overscaled, measuring 2m in height, and they do not respond to the window hierarchy at the lower floors in terms of alignment and aperture size. In addition, the lift overrun adds further height. The result is a dominant and overly large mansard extension that adds further harm to the building's proportions already caused by inserting three floors into the space of two. The glazed balustrade to the front is not acceptable and represents an untraditional feature inappropriate for a historic building within the conservation area.

Side Extension

- 4.8. The proposal would involve the addition of three storeys above the existing single storey element on the Agar Grove elevation, thereby completely infilling the existing gap between the application site and the properties along Agar Grove. This addition would not be set back from the principal building line nor would it be below the height of the host building. Contrary to planning guidance, this extension would therefore fail to be secondary to the host building and would not be legible as an extension. The buildings on the principal road (York Way) are backed by gardens and yards, and the existing single storey element allows this pattern of development to be read and represents a subservient addition to the main building. The full height extension would therefore mask the pattern of development. The existing gap is a relief in the urban grain, it adds visual interest and clearly demarcates the prominent corner public house with the terrace on the south side of Agar Grove, reflecting the relationship between the principal road of York Way, a historic north route out of London, and the more subservient Agar Grove. The conservation area management strategy states that gaps between buildings represent an important feature of relief in an otherwise densely developed environment, where the buildings are generally arranged in terraces 3 storeys in height. The proposed infill would therefore be contrary to the significance of the conservation area by losing this gap and would result in harm to the designated heritage asset.
- 4.9. Overall, it is considered that the proposal by virtue of its height, massing, inappropriate materials including the glazed balustrade, and the substantial demolition of the positive contributor, would result in less-than-substantial harm to the character and appearance of the conservation area contrary to policies D1 and D2 of the Camden Local Plan and refusal is warranted on this basis.

5.0. Quality of Residential Accommodation

- 5.1. Policies H6 and D1 of the Local Plan seek to ensure a high standard of residential accommodation, by ensuring that new units meet the Nationally Described Space Standards, have good access to natural light, are dual aspect where possible, have outdoor amenity space, have good ceiling heights and are accessible and adaptable to a range of occupiers.
- 5.2. All seven units would meet and in cases exceed the Nationally Described Space Standards and would have private external amenity space. They would benefit from sufficient floor to ceiling heights and would be dual aspect. A lift would be included and the top floor unit would be in accordance with M4(3) which is welcomed.

- 5.3. An Internal Light Assessment report has been submitted which demonstrates that the majority of proposed rooms would comply with BRE guidelines when using the Spatial Daylight Autonomy test. Overall, the units would offer acceptable levels of accommodation in accordance with policies H6 and D1 and no objection is raised.

6.0. Amenity

- 6.1. Policy A1 of the Local Plan seeks to protect the amenity of neighbouring occupiers with regards to privacy, outlook, loss of sunlight and daylight, light pollution, noise and contaminated land and will seek to mitigate against the impact of construction through construction management plans (CMPs). Policy A4 resists development that this is likely to generate unacceptable noise or development sensitive to noise in locations which experience high levels of noise and will not harm the continued operation of existing uses.
- 6.2. The increase in height in terms of the mansard roof extension is unlikely to result in adverse overshadowing of neighbouring occupiers by virtue of the site's orientation and the location of neighbouring windows. Due to its siting (and set-back) the three storey rear extension would not affect the outlook from any adjoining properties. A Daylight/Sunlight Assessment has been submitted which demonstrates that affected windows at neighbouring occupiers would meet the BRE targets for Vertical Sky Component, Annual Probable Sunlight Hours and Daylight Distribution for an urban location. Views from the terrace of the 1b1p unit and from the 3b5p units on the first floor and second floors into existing windows on the side elevation at 164 Agar Grove would be oblique.
- 6.3. As previously mentioned, a Noise Impact Assessment has been submitted which demonstrates that sufficient noise insulation would be provided to mitigate against noise from the pub affecting the proposed residential units above. This includes internal sound insulation and double glazing. Had the Council been minded to approve the application, conditions would have been attached to ensure that sufficient sound insulation measures were implemented to protect the amenity of future occupiers. In line with the 'Agent of Change' principle, the Council would expect the applicant to bear the financial responsibility for undertaking works to ensure that occupants of new self-contained accommodation are not affected by unacceptable levels of noise or odour.
- 6.4. Given the basement and ground floors have been in pub use for a considerable amount of time, and there is no proposed increase in pub floorspace, the development would not result in significant increase in noise emanating from the pub that would adversely harm neighbouring occupiers.
- 6.5. It is indicated on the demolition plans that the existing kitchen extract flue would be removed, however no new kitchen extract flue is shown on the proposed plans. In the supporting documents, it is suggested that a kitchen would be located at basement level. If the development was acceptable, further information regarding kitchen extraction in terms of noise and odour would have been sought.
- 6.6. The proposal is thus considered to be in general accordance with policies A1 and A4 of the Local Plan.

7.0. Sustainability

- 7.1. Policy CC1 of the Camden Local Plan promotes zero carbon development and requires the steps in the energy hierarchy to be followed. In part e) it requires all proposals involving

substantial demolition to demonstrate that it is not possible to retain or improve the existing building and expects all development to optimise resource efficiency. Policy CC2 ensures development will be resilient to climate change, including measures to reduce the impact of urban and dwelling overheating, including the application of the cooling hierarchy, and encourages the incorporation of green roofs.

- 7.2. Although a sustainability and energy statement has been submitted as part of the application, no evidence or supporting documents have been provided with regards to retaining more or improving the existing structure. The Council considers the amount of demolition to be substantial, in line with advice given by the Council's Sustainability team. Proposals involving substantial demolition require a condition and feasibility study to be submitted to help justify the demolition. If demolition can be justified, a whole life carbon assessment and pre-demolition audit is then required to assess how much fabric can be reused or recycled, as outlined in CPG Energy Efficiency and Adaptation. No options for retaining the existing structure have been explored and no condition and feasibility study has been submitted. The Council therefore cannot be satisfied that it is not possible for more of the existing structure to be retained or improved. It has not been demonstrated that a residential scheme that retains much more existing fabric and does not constitute substantial demolition could not be provided. As a result, there is insufficient information to support the substantial demolition of the existing building, contrary to policy CC1. In addition, the building is a positive contributor and in line with the Conservation Area Management Strategy, demolition of a positive contributor is only acceptable where there is exceptional justification.
- 7.3. Steps have been taken to promote sustainability and energy efficiency in the proposed development, such as the use of sustainable materials, PV panels, and internal hot water heat pumps. For new residential developments of over 5 units, the Council requires a 20% reduction in carbon dioxide emissions from on-site renewable energy generation. The submitted sustainability statement indicates 63% savings which is welcomed. However, these measures would not outweigh the carbon and energy intensive process of demolition. It is currently unclear whether any Air Source Heat Pumps are being proposed or air condenser units to provide active cooling. The use of mechanical ventilation is strongly discouraged by the Council. Had the Council been minded to approve the application, further information regarding energy efficiency measures would have been sought via a condition.
- 7.4. Overall, the insufficient evidence to justify the demolition of the existing structure would result in an unsustainable development that would be contrary to policy CC1 of the Camden Local Plan and refusal is warranted on this basis.

8.0. Trees and Biodiversity

- 8.1. Policy A3 of the Camden Local Plan will resist the loss of trees and vegetation of amenity or historical significance, require retained trees to be protected, and expect replacement or additional trees and vegetation to be provided. It also seeks to promote biodiversity in new development.
- 8.2. There are no trees in or around the existing site, and therefore no arboricultural report has been submitted. The application was submitted prior to the introduction of Biodiversity Net Gain, and therefore those targets do not apply to the application. No green roofs are proposed or details of other measures to improve biodiversity. In accordance for new development to promote biodiversity and sustainability, if the development was acceptable

in all other aspects, revisions would have been sought and relevant conditions attached to promote biodiversity and sustainability.

9.0. Transport

- 9.1. Policy T1 of the Camden Local Plan aims to promote sustainable transport by prioritising walking, cycling and public transport. Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car free. The new units would need to be car-free in accordance with this policy, which would be secured by a legal agreement if planning permission were to be granted and would prevent future occupiers from obtaining on-street parking permits. In the absence of a legal agreement, this constitutes a reason for refusal.
- 9.2. In line with Policy T1 of the Local Plan, cycle parking at developments should be provided in accordance with the standards set out in the London Plan. For residential uses, the requirement is for 1.5 spaces per 1 bedroom 2 person flat and 2 spaces per unit with 2 or more bedrooms, which gives a total requirement for 14 spaces. The submitted plans indicate that a cycle store will be provided at ground floor level, adjacent to the residential entrance. This is capable of accommodating 14 spaces in the form of two tier stands, which meets the required standard. The provision of the 14 cycle parking spaces would have been secured by condition had the scheme been acceptable. The Design & Access Statement shows that an additional 3 Sheffield stands (6 spaces) would be provided for pub and residential visitors on the Agar Grove frontage. Whilst the location of these stands cannot be guaranteed at this point in time, due to the emerging plans to upgrade the cycle lane on York Way and associated junction changes, a Section 106 cycle parking contribution of £765 should be secured towards their provision. Given the uplift in residential units, a Section 106 contribution of £14,000 should be secured towards improvements to the cycle lane on York Way. The provision of the cycle lane will greatly encourage the use of this sustainable mode of transport by residents and workers at the development. In the absence of a legal agreement to secure these contributions, this constitutes a reason for refusal.
- 9.3. The proposed development would require a Construction Management Plan (CMP) if planning permission was granted in order to protect the amenity of neighbouring occupiers and reduce the traffic impact on the road network during construction, which would be secured through a legal agreement. This would involve an Implementation Support Contribution of £4,075.60 and Impact Bond of £7,874. In the absence of a legal agreement to secure a CMP, this constitutes a reason for refusal.

10.0. Planning Balance

- 10.1. The proposal is identified as causing less than substantial harm to the designated heritage asset, in this case, the Camden Square Conservation Area. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefit of the proposal. In addition, the unjustified substantial demolition is considered to harm the natural environment contrary to Camden Local Plan policies and the requirements of the NPPF as outlined in paragraph 8 and chapters 14 and 15. Although weight is given to the proposed 7 new residential units, it is considered that the harm to the historic environment would not be outweighed and the public benefit of housing is not sufficient to outweigh the identified harm.

11.0. S106/CIL

- 11.1. If the proposals were supported, the following heads of terms would need to be secured by a S106 legal agreement:
- 1) Car-free development
 - 2) Construction Management Plan
 - 3) Affordable Housing Payment in Lieu
 - 4) Pedestrian, Cycling and Environmental Improvements contributions
 - 5) Cycle parking contributions
- 11.2. The proposal would be liable to the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as it involves the creation of new residential floorspace.

12.0. Recommendation

12.1. Refuse Planning Permission for the following reasons:

- 12.2. 1) The proposed development, by virtue of the substantial demolition of the existing positively contributing building, and the unsympathetic architectural design and materials of the replacement building, including its insensitive and disproportionate roof and side infill extensions, would be harmful to the character and appearance of the Camden Square Conservation Area and the wider streetscape. It would therefore be contrary to policies D1 (design) and D2 (heritage) of the Camden Local Plan 2017. It would also be contrary to the London Plan 2021 and NPPF 2023
- 12.3. 2) In the absence of sufficient evidence to demonstrate that it is not possible to substantially retain and re-use the existing building, the proposed substantial demolition would fail to promote sustainable development and the efficient use of resources. It is therefore contrary to policy CC1 (climate change mitigation) of the London Borough of Camden Local Plan 2017. It is also contrary to the London Plan 2012 and the NPPF 2023
- 12.4. 3) The proposed development, in the absence of a legal agreement securing car-free housing, would contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to policies T2 (parking and car-free development) and DM1 (delivery and monitoring) of the Camden Local Plan 2017. It is also contrary to the London Plan 2021 and the NPPF 2023.
- 12.5. 4) The proposed development, in the absence of a legal agreement to secure a construction management plan, construction impact bond and a financial contribution for construction management plan monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017. It is also contrary to the London Plan 2021 and the NPPF 2023
- 12.6. 5) The proposed development, in the absence of a legal agreement securing a payment in lieu of affordable housing, would fail to maximise the site's contribution to the supply of affordable housing in the borough, contrary to policy H4 (Maximising the supply of affordable Housing) of the London Borough of Camden Local Plan 2017

- 12.7. 6) The proposed development, in the absence of a legal agreement securing contributions to pedestrian, cycling and environmental improvements and cycle parking in the area, would fail to make sufficient provision in a sustainable manner for the increased trips generated by the development thus causing a cumulative detrimental impact on the borough's transport network, contrary to policies A1 (Managing the impact of development) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017