

<b>Address:</b>	160A Malden Road, London, NW5 4BS		<b>4</b>
<b>Application Number(s):</b>	2024/1193/P	<b>Officer:</b> Brendan Versluys	
<b>Ward:</b>	Gospel Oak		
<b>Date Received:</b>	25/03/2024		
<b>Proposal:</b>	Erection of 4 storey building to provide 15 self-contained flats at ground, first, second and third floor levels and office use at ground floor level, following demolition of existing MOT repair garage and hand car wash.		
<p><b>Background Papers, Supporting Documents and Drawing Numbers:</b></p> <p>Existing Drawings: 0-00; 0-51; 1-50; 1-51; 3-51; 4-51</p> <p>Proposed Drawings: 1-00, rev 1; 1-01, rev 1; 1-02, rev 1; 1-03, rev 1; 1-04, rev 1; 3-01, rev 1; 4-01, rev 1; 4-05, rev 1; GUA-DR-L-005, rev 5 (Urban Greening Factor Plan); GUA-DR-L-006, rev P06 (Illustrative Landscape Masterplan); TPP/160MRL/010 A (Tree Protection Plan)</p> <p>Documents: Cover letter prepared by Grade Planning, 25/03/2024; Acoustic Report prepared by Love Design Studio, ref. PR455_V2, March 2024; Air Quality Assessment prepared by Love Design Studio, ref. PR455_V2, March 2024; Arboricultural Report prepared by David Clarke Chartered Landscape Architect and Consultant Arboriculturist Limited, March 2022; Desk Study / Preliminary Risk Assessment Report prepared by Jomas Associates Ltd., ref. P4556J2615/TE, 18/08/2022; Daylight and Sunlight Study prepared by Love Design Studio, ref. PR455_V2, March 2024; Crime Impact Assessment prepared by Grade Planning, March 2024; Employment and Training Strategy prepared by Grade Planning, March 2024; Energy and Sustainability Statement prepared by Love Design Studio, ref. PR455_V3, March 2024; Flood Risk Assessment and SUDS Report prepared by EAS Transport Planning Ltd, ref. 3779/2022, rev D, June 2024; Fire Statement prepared by MU Studio, 27/02/2024; Planning Statement prepared by Grade Planning, March 2024; Design and Access Statement prepared by , rev 1.0; 04/03/2024; Transport Statement prepared by Lime Transport, ref. 22033 d1b, 04/03/2024; Employment Viability Report prepared by Grade Planning, January 2024; Biodiversity Net Gain Report prepared by The Ecology Partnership, May 2024; Draft Waste Management Strategy prepared by Grade Planning, June 2024; Area Schedule; Whole Life Cycle Carbon Assessment prepared by Love Design Studio, July 2024;</p>			
<b>RECOMMENDATION SUMMARY:</b>			
<b>Grant conditional planning permission subject to a Section 106 Legal Agreement</b>			
<b>Applicant:</b>	<b>Agent:</b>		
Mr Andreas Kyprianides 160 Malden Road, London, NW5 4BT	Grade Planning 86-90 Paul Street, London, EC2A 4NE		

## ANALYSIS INFORMATION

Land use floorspaces				
Use Class	Description	Existing GIA (sqm)	Proposed GIA (sqm)	Difference GIA (sqm)
C3	Dwellings (flats)	0	1,195	+ 1,195
E	Business (offices)	0	146	+ 146
B2	Repair garage (building floorspace)	136	0	- 136
Sui Generis	Car wash (building floorspace)	6	0	-6
<b>Total</b>	<b>All uses</b>	<b>142</b>	<b>1,341</b>	<b>+ 1,199</b>

Proposed housing mix and tenure						
Tenure	Studio	1 bed	2 bed	3 bed	4 bed	Total
Market	0	5	2	5	0	<b>12</b>
Social-affordable rent	0	1	2	0	0	<b>3</b>
Intermediate rent	0	0	0	0	0	<b>0</b>
<b>Total homes</b>	<b>0</b>	<b>6</b>	<b>4</b>	<b>5</b>	<b>0</b>	<b>15</b>

Parking details				
Type	Existing spaces	Proposed long stay	Proposed short stay	Difference
Car parking	9	0	0	- 9
Cycle parking (residential)	0	30	3	+ 33
Cycle parking (non-residential)	0	2	3	+ 5

## EXECUTIVE SUMMARY

- i) The site is occupied by an MOT repair garage and ancillary office, as well as a car wash facility, and has a large forecourt to the site frontages. It is not in or near a Conservation Area.
- ii) The proposal would redevelop the site to accommodate a four-storey building as a mixed use residential and commercial development.
- iii) The existing garage and car wash would be removed from the site, with local provision for vehicle repair services and car wash facilities still adequate in the

area, while supporting a general move to more sustainable modes of transport. The new building would provide 15 new homes over the ground to third floors, with a commercial unit allocated for office use being provided at the Malden Road and Wellesley Place corner frontage of the building.

- iv) Of the 15 new homes, 3 affordable homes would be provided on-site on the ground floor, with the remaining 12 homes on the three upper floors allocated as market housing.
- v) Given the emphasis on maximising housing supply in Local Plan Policy H1 and the NPPF, and Camden's current Housing Delivery, the provision of housing on this site is positive and should be given significant weight.
- vi) The scheme is a simple and well-designed building which makes the optimum use of a currently underused site. The mid-rise building would be an appropriate form and height at a large corner site in a local centre, fronting a distributor road. The limited impacts on neighbouring amenity are acceptable, in particular noting the setback of the building from the adjacent Wellesley Road Care Home.
- vii) As well as supporting environmental improvements through car-free development, the proposal also exceeds key energy and carbon reduction targets through a sustainable development. Greening and sustainable drainage measures reduce the risk of flooding in the area while supporting biodiversity.
- viii) The scheme provides residential growth in an area with good walkability and access to public transport services, along with commercial floorspace. There are positive economic impacts of development and construction itself, further investing in the Camden economy through local procurement, apprenticeships, and placements during construction. Additionally, the scheme promotes active travel principles alongside public realm improvements.
- ix) The scheme complies with the development plan as a whole and is recommended for approval.

## OFFICER REPORT

### Reason for Referral to Committee:

Major development involving the provision of more than 10 new dwellings (Clause 3(i)).

## 1. SITE AND BACKGROUND

### *Designations*

1.1 The following are the most relevant designations or constraints:

<b>Designation</b>	<b>Details</b>
Local Flood Risk Zone	Maitland Park
London View Management Framework	View from Parliament Hill to Palace of Westminster (Viewing Corridor 2A.2)
PTAL (Public transport accessibility)	3 (Moderate accessibility)
Underground development constraints and considerations	<ul style="list-style-type: none"><li>- Subterranean (groundwater) flow</li><li>- Surface water flow and flooding</li><li>- Slope stability</li></ul>

*Table 1 - Site designations and constraints*

### *Description*

1.2 The site is located on the north-eastern side of Malden Road, opposite the junction with Malden Place. Wellesley Place, a cul-de-sac, is adjacent to the site to the south-east, and Gospel Oak Open Space is located on the opposite side of Wellesley Place. The site covers an area of approximately 700 sqm.

1.3 The site is L-shaped and is located immediately in front of the Wellesley Road Care Home, which was re-built in 2010 and has an entrance onto Wellesley Place. The site is currently occupied by a single-storey MOT garage and car wash.



*Figure 1 – View of the site from the corner of Malden Road and Wellesley Place*

- 1.4 The site has a PTAL rating of 3, which indicates a medium level of public transport accessibility. The nearest station is Gospel Oak, located to the northeast of the site, whilst the nearest bus stops are located on Malden Road, Agincourt Road and Prince of Wales Road.
- 1.5 The site is not in a conservation area and there are no listed buildings close by.



*Figure 2 – The existing site (centre) viewed from the south*

## 2. THE PROPOSAL

- 2.1 Planning permission is sought to demolish the existing single-storey buildings at the site comprising a MOT repair garage (Use Class B2) and hand car wash building (*sui generis*) and erect a four-storey mixed use residential and commercial building, and an associated detached single level ancillary building with cycle and refuse storage.
- 2.2 The four-storey building would accommodate a commercial unit at ground floor along with 3 flats, and another 12 flats would be provided over the upper three floors.
- 2.3 At ground floor, the commercial unit, to be used as offices (Class E(c)) would be positioned at the corner of Malden Road and Wellesley Road. The unit would occupy the building's side Wellesley Place frontage at ground level and be accessible from Malden Road.
- 2.4 The 15 flats would provide 6x 1-bed homes, 4x 2-bed homes and 5x 3-bed homes with private amenity space.
- 2.5 The three ground floor flats would be level access and two of them would be fully adapted as wheelchair homes. The upper floor flats are designed with 'deck access' via a stair and lift enclosure to the rear. All 15 flats have their own private amenity space.
- 2.6 Waste storage would be provided at ground level in two enclosures within the main building for the residential flats and commercial uses.
- 2.7 Cycle storage would be located in a single storey building to the rear of the site with 28 x cycles in two tier racks, and space for 2 x adaptable spaces.
- 2.8 A small residents garden is located between the cycle storage building and the stair/lift enclosure.
- 2.9 Three air source heat pumps would be located to the between an enclosed area between the residents garden, stair/lift enclosure, and the garden to the rear of Flat 1.

### ***Revisions***

- 2.10 Revisions and additional information were provided during the application including:

#### Design:

- Replacement of flats 1 – 3 front patios with raised planters
- Reduction in the front elevation glazing height to flats 1, 2 and 3
- Removal of the obscure glazing to the kitchen windows to the rear elevation.

- Amendment to the rear balustrades so that these are lighter in appearance and are now proposed to be imperforated mesh with a back glass panel.
- Removal of the brick pillars to the rear elevation
- Incorporation of a transparent cover to the entry area to the communal staircase/lift.
- Confirmation that the boundary treatment to adjoining properties will be a brick wall

#### Energy/Sustainability

- Updated Energy and Sustainability data

### 3. RELEVANT HISTORY

#### *The site*

- 3.1 **2022/5508/P** - Erection of 4 storey building to provide 15 self-contained flats at ground, first, second and third floor levels and office use at ground floor level, following demolition of existing MOT repair garage and hand car wash. **REFUSED** on **27/04/2023**

#### *The area*

**164 Malden Road**

- 3.2 **2023/2029/P** – Erection of a mansard roof extension. Granted **12/07/2023**

### 4. CONSULTATION

#### **Statutory consultees**

#### Local Lead Authority (LLFA – Camden)

- No objections subject to conditions in relation to green roofs, Sustainable Drainage Systems, and flood resilience measures.

*Officer response:*

- *The requested conditions would be attached.*

#### **Other consultees**

#### Metropolitan Police

- No response received.

#### TfL (Property)

- No response received.

### ***Adjoining occupiers***

- 4.1 Two sites notice were displayed, one on Malden Road to the front of the property and one on Wellesley Place to the southeast of the site. The notices were displayed on 19/04/2024 until 13/05/2024. The application was advertised in the local newspaper on 3/10/2024 (27/10/2024). No objections were received.

## **5. POLICY**

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

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

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

[Written Ministerial Statement on First Homes \(May 2021\)](#)

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

[London Plan Guidance](#)

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

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

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

[Policy H1 Maximising housing supply](#)

[Policy H4 Maximising the supply of affordable housing](#)

[Policy H6 Housing choice and mix](#)

[Policy H7 Large and small homes](#)

[Policy C1 Health and wellbeing](#)

[Policy C5 Safety and security](#)

[Policy C6 Access for all](#)

[Policy E1 Economic development](#)

[Policy E2 Employment premises and sites](#)

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

[Policy A2 Open space](#)

[Policy A3 Biodiversity](#)

[Policy A4 Noise and vibration](#)

[Policy D1 Design](#)

[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 T3 Transport infrastructure](#)

[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](#)  
[Design - January 2021](#)  
[Developer Contribution CPG - March 2019](#)  
[Employment sites and business premises - January 2021](#)  
[Energy efficiency and adaptation - January 2021](#)  
[Housing - 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:*

[Planning Statement - Intermediate Housing Strategy and First Homes \(2022\)](#)

### Draft Camden Local Plan

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The consultation closed on 13 March 2024. The DCLP is a material consideration 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:

<b>7</b>	<b>Land use</b>
<b>8</b>	<b>Affordable housing and viability</b>
<b>9</b>	<b>Housing mix</b>
<b>10</b>	<b>Quality of proposed housing</b>
<b>11</b>	<b>Impact on neighbouring amenity</b>
<b>12</b>	<b>Urban design</b>
<b>13</b>	<b>Nature conservation, landscape and biodiversity</b>
<b>14</b>	<b>Sustainability and energy</b>
<b>15</b>	<b>Air quality</b>
<b>16</b>	<b>Water, flood risk and drainage</b>
<b>17</b>	<b>Transport and highways</b>
<b>18</b>	<b>Public open space</b>
<b>19</b>	<b>Employment and training opportunities</b>

<b>20</b>	<b>Fire safety</b>
<b>21</b>	<b>Refuse and recycling</b>
<b>22</b>	<b>Financial contributions</b>
<b>23</b>	<b>Community Infrastructure Levy</b>
<b>24</b>	<b>Conclusion</b>

## **7. LAND USE**

### ***Loss of repair garage and car wash***

- 7.1 The existing garage would fall within use class B2, and the car wash does not fall within a use class and so is a *sui generis* use.
- 7.2 Policy E1 safeguards existing employment sites and premises in the borough that meet the needs of industry and other employers whilst policy E2 resists development of business premises and sites for non-business use unless it can be demonstrated that the site or building is no longer suitable for business use.
- 7.3 Policies T1 and T2 promote a shift from private motor vehicles, and towards more sustainable modes of transport, policy CC1 tries to ensure the mix of uses minimises the need to travel by car, and CC4 aims to reduce exposure to poor air quality.
- 7.4 The applicant has prepared an Employment Viability Report which considers how the proposal meets Camden's policy and guidance with regard to protecting employment sites and premises.
- 7.5 The report found that within 2km of the application site, there are 25 repair garages, including 8 garages within 1.6 km 'driving distance' from the site. This indicates a reasonable selection of alternative MOT/car repair facilities in the local area. Additionally, there is a growing market for 'mobile' car repair services (including MOT) where individuals can opt to pay for such services to be carried out at their home or place of work, or via a car collection service.
- 7.6 With regard to car wash facilities, the report found there is 5 formal car wash facilities within a 2 km radius of the site, including 4 within 2 km 'driving distance' from the site.
- 7.7 In terms of the existing employment provided by the existing premises, the existing garage buildings are in poor condition and would benefit from refurbishment or replacement. The existing buildings provide limited accommodation and floorspace. The buildings do not provide floorspace that would be suitable for a wide range of small businesses and are not realistically suitable for adapting to a range of alternative uses. While a large area the open-air forecourt at the front of the site is used as a car wash, this

is an under-use of the space, particularly in an inner London location at a corner site with a large frontage.

- 7.8 Lastly, the loss of the existing employment uses at the site would be mitigated through the provision of a new, high-quality office tenancy, which ensures an employment use remains at the site. The proposed office space of 146 sqm is a similar quantum to the existing garage and car wash floor space of 150 sqm. Using the employment density guide figures for B1a office use outlined within the CPG Employment sites and business premises, the proposed development is likely to directly generate around 11-14 jobs (full time equivalent) (FTE). This compares with the MOT repair garage and car wash facility which are understood to provide approximately 5 full-time jobs (FTE) across the site. As such, the proposal is likely to increase employment opportunities at the site by supporting a higher number of full-time equivalent jobs in comparison with the existing use. This offers greater benefits to local people and businesses than the existing use, both in terms of job opportunities and provision of new adaptable business floorspace. Considering the availability of other conveniently accessible alternative repair garage services and car wash facilities, the shift away from a shift from private motor vehicles, the constraints provided by the existing commercial buildings, and an employment use (albeit of a different nature) being re-provided as part of the proposal, the loss of the existing repair garage and car wash facility is acceptable.

***Proposed residential use***

- 7.9 As set out above, the proposed 15 homes are strongly supported under CLP and LP policy.
- 7.10 LP Policy H1 and Table 4.1, set a 10-year housing target for Camden of 10,380 additional homes from 2019/20 to 2028/29.
- 7.11 The Housing Delivery Test (HDT) is an annual measurement of housing completions introduced by the government. It measures whether development plan requirements (or, in some cases, local housing need calculated by the government's standard method) have been met over the last 3 years. The government's most recently published figure is for 2022, when the government's measurement for Camden was 69% - which means that Camden's development plan policies are treated as being out-of-date in relation to housing provision.
- 7.12 The presumption in favour of sustainable development in paragraph 11(d) of the NPPF is engaged, and great weight should be given to the provision of housing in decision making. The NPPF indicates that applications should be granted unless their adverse impacts would significantly and demonstrably outweigh their benefits when assessed against NPPF policies as a whole.

- 7.13 The proposed 15 new homes within a sustainable location on brownfield land would contribute towards the strategic objectives of the development plan and contribute to the borough's housing supply, including on-site affordable housing. This housing provision complies with the development plan and the NPPF in land-use terms and has been given significant weight.

***Proposed commercial (Use class E)***

- 7.14 A 146 sqm office unit is proposed at ground floor of the building at the corner of Malden Road and Wellesley Place, directly accessible from Malden Road. The unit is intended to be used for office purposes and occupied by a single tenancy. Given its size (less than 1,000 sqm floor space) it would not trigger an expectation of affordable workspace under council guidance. However, the office floor space is specifically designed to be suitable for occupation by start-up businesses, and small and medium enterprises (SMEs). These are both key growth sectors in Camden, as identified in the Local Plan.

- 7.15 The unit is designed with large glazed frontages on Malden Road and Wellesley Place. The office accommodation provides a suitable floor to ceiling height of 2.7m and is designed to have clear separation from the residential element comprising the remainder of the building.

- 7.16 Providing office space for around 11-14 employees, the office use would be acceptable at this location and would support the retail and other businesses uses nearby within this local centre at Malden Road.

***Land use conclusion***

- 7.17 The proposal would provide housing, including affordable housing, and high quality office space, for which there is an identified need. The proposed new 15 homes, within a sustainable location on brownfield land would contribute towards the strategic objectives of the development plan and contribute to the borough's housing supply. This housing provision complies with the development plan and the NPPF in land-use terms and has been given significant weight.

- 7.18 The impact on employment capacity in the area resulting from the loss of the garage and car wash would be lessened by virtue of there being equivalent services provided at other conveniently accessible sites in the locality, and mitigated by the proposed high-quality office space occupying the ground floor corner unit of the building.

**8. AFFORDABLE HOUSING**

***Affordable housing requirements***

- 8.1 Camden Local Plan policy H4 and the Housing CPG seek provision of affordable housing. Where the uplift in residential floorspace has the capacity

for 10 or more new homes (assuming 100sqm per home on average), the council expects affordable housing to be provided on site, subject to viability. Where the capacity is for fewer than 10 homes (less than 950sqm when rounded) then the policy accepts a payment instead of on-site affordable housing.

- 8.2 The scheme provides for 1,102 sqm of residential floorspace which equates to capacity for 11 homes (1,102 /100sqm home), meaning the policy expects on site provision in this case, unless this is unviable.
- 8.3 The development plan applies a 2% affordable housing target for every 100sqm of additional floorspace (rounded). This means as the proposal is for 1,102 sqm residential floor space, the target would be 22%, and 22% of 1,102sqm is 242sqm of affordable housing floorspace.
- 8.4 The proposal provides for 207 sqm of affordable housing floorspace over the three ground floor flats (Units 1 – 3), which is only 35 sqm less than the required 242sqm of affordable housing floorspace. Given the minor extent of the shortfall together with the quality and range of the three affordable homes proposed having an appropriate design and layout, all with level access and two homes being wheelchair accessible, the small shortfall in the affordable housing floorspace provided on-site is acceptable and officers consider it to comply with the housing policies of the development plan in the round.
- 8.5 Local Plan Policy H4 sets out guidelines for assessing development proposals indicating that 60% of affordable housing should be social affordable rented housing (referred to as 'low cost rented homes' in the draft London Plan 2019) and 40% should be intermediate housing (referred to as 'intermediate products' in the draft London Plan). The Housing CPG outlines circumstances where the Council may depart from the 60% social-affordable rented: 40% intermediate split include proposals seeking up to 100% social-affordable rented housing where the overall proportion of affordable housing in the scheme is 30% or less.
- 8.6 In this case, the proposal involves 20% of affordable housing across the site and proposes the three affordable homes to be delivered as social-affordable rented housing – which are those with the highest demand. Social Rented homes have capped rent levels based on the national guidance issued by the Regulator of Social Housing, and are allocated according to need to households on low incomes. The three affordable homes being secured as social-affordable rented (likely as London Affordable Rent) is therefore in accordance with Council policy and guidelines.
- 8.7 The NPPF stipulates that affordable housing for rent should be managed by a Registered Provider (RP) and should remain at an affordable price for future eligible households. The Council has agreed an Approved Strategic Partner List and requires affordable housing to be transferred to a partner on

the list. CPG Housing recommends that developers involve a provider from the earliest stages of housing design to ensure the homes meet the requirements. A s106 agreement will be used to ensure that the developer will select a housing provider from the approved list (and will be subject to the Council's written approval) and occupation of market homes (in this case the student housing) will not take place until the affordable homes have been transferred to the provider.

- 8.8 The developer has not yet selected an affordable housing partner but have had approached three RPs, Newlon Housing Trust, Sapphire Independent Housing, and Origin Housing. All three RPs are currently on Council's approved list of housing providers. Newlon has confirmed they would not be interested as the scheme is too small. Both Origin and Sapphire have confirmed their interest in taking ownership of flats 1 – 3.

#### First Homes policy

- 8.9 The national First Homes policy has now come into effect for developments that trigger an affordable housing contribution. First Homes are a new type of discount housing for sale. National policy indicates that First Homes should form 25% of the affordable housing sought in a development, and that where a payment in lieu (PIL) is sought in place of affordable housing, 25% of the value should be used to deliver First Homes. However, the Council has adopted a Planning Statement on the Intermediate Housing Strategy and First Homes, which indicates that First Homes in Camden would not be affordable to median income residents, and consequently First Homes will not be sought in the borough. Having regard to the national and local policies relating to First Homes, any funds arising from PIL and deferred affordable housing contributions are expected to contribute to the Council's preferred affordable housing types identified by Local Plan Policy H4 and CPG Housing 2021, namely social-affordable and intermediate rented housing. In this case, the flats would be secured as Social-Affordable Rent which targets the lowest income households.

#### ***Affordable housing conclusion***

- 8.10 The proposed affordable Class C3 housing equates to 18.78% of the scheme based on both floorspace (GIA), which is a minor shortfall to the targeted 22% of affordable housing floorspace sought under the development plan. However, the scheme directly deliver affordable housing on site.
- 8.11 The affordable units would be located at ground floor and are spacious, and well designed with convenient access to the street and with private gardens. Two of the three affordable units will be wheelchair accessible units, which is welcomed given the particular shortage of these type of affordable units within the borough.

## 9. HOUSING MIX

- 9.1 Policy H7 seeks a mix of large and small homes in each development (where large homes are defined as those with 3 bedrooms or more) and expects developments to contribute to the priorities set out in the Dwelling Size Priorities Table.

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom (or more)
Social-affordable rented	lower	high	high	medium
Intermediate affordable	high	medium	lower	lower
Market	lower	high	high	lower

Table 2 - Dwelling Size Priorities (Local Plan Table 1)

- 9.2 The table above shows that within the Social Affordable Rented (SAR) tenure, there is a higher priority for 2 and 3-bed homes, with medium demand for 4-beds (or more).
- 9.3 The proposed development comprises 40% 1-bedroom units, 60% 2-bedroom units and 27% 3-bedroom units. The total number of affordable housing units proposed is 1 x 1-bedroom and 2 x 2-bedroom units, which equates to 20%.
- 9.4 In terms of the affordable mix, the proposal includes three affordable units (Units 1, 2 and 3) located at ground floor level. These will provide 1 x 1B2P, 1 x 2B3P unit and 1 x 2B4P unit for social-affordable rent tenure. Units 1 – 2 are wheelchair accessible homes, Unit 3 being a wheelchair adaptable home. The affordable homes would be secured as social-affordable rent tenure.
- 9.5 The CLP priorities table above shows the higher priorities for **Market homes** are for 2 and 3-bed homes. More than half the market homes proposed in the scheme are 2 and 3-bed homes (58%), with the remainder being 1-bed homes. The market home mix is set out in the table below, showing a balanced mix that contributes to the LP priorities.

Home size	Number proposed	Proportion of homes
1-bed	5	41.7%
2-bed	2	16.6%
3-bed	5	41.7%
<b>Total</b>	<b>12</b>	<b>100%</b>

Table 3 - Dwelling mix summary for market homes

- 9.6 The CLP priorities table above shows the higher priorities for **Social Affordable Rented homes** are for 2 and 3-bed homes, with medium

demand for 4-bed or more. While the proposed SAR homes are one and two bedroom typologies, the two bedroom homes are able to accommodate at least three persons and can therefore still accommodate families. The 2-bed homes make up around 66% of the SAR homes. This is set out in the table below, showing a balanced mix that contributes to the LP priorities.

Home size	Number proposed	Proportion of homes
1-bed	1	33.3%
2-bed	2	66.67%
<b>Total</b>	<b>3</b>	<b>100%</b>

*Table 4 - Dwelling mix summary for Social Affordable Rented homes*

- 9.7 In terms of large and small homes, the proposed development would deliver 5 large homes (3 bed) and 10 small homes (1 and 2-bed) across both tenures which is an acceptable mix.
- 9.8 The mix of homes proposed for SAR is broadly consistent with the Dwelling Size Priorities table with 66% of SAR homes targeting the high priority homes.
- 9.9 While the affordable housing floor space at ground floor could be reallocated to provide for 2 x 3- or 4-bedroom homes, there would be a fewer total number of affordable homes able to be provided. The provision of three affordable homes in the mix of one- and two-bedroom typologies is a preferable mix to a fewer amount of larger homes. It is also noted two of the three affordable units are either wheelchair adaptable or wheelchair accessible and can be directly accessed from ground level. All three affordable homes are also provided their own private garden to the rear of building, directly accessible from the respective unit, which is a quality amenity provision and is particularly conducive to the 2 bed homes being suitable for small families.
- 9.10 Overall, the scheme provides a balanced mix of homes, suitable to the location and making a contribution to the identified needs in the development plan, including low cost and accessible housing, in accordance with CLP policy H7.

## **10. QUALITY OF PROPOSED HOUSING**

- 10.1 CLP policy H6 is about housing choice and mix, and it aims to minimise social polarisation and create mixed, inclusive, and sustainable communities, by seeking high quality accessible homes and a variety of housing suitable for Camden's existing and future households.
- 10.2 In line with LP policy D6 and CLP policies H6 and D1, housing should be high quality and provide adequately sized homes and rooms, and maximise



the provision of dual aspect dwellings. CLP policy A2 encourages opportunities to provide private amenity space which is reflected in a requirement to provide amenity space in LP policy D6. CLP policy A1 seeks to protect the amenity of occupiers in relation to a number of factors, including privacy, outlook, light, and noise. CLP policy A4 says suitable noise and vibration measures should be incorporated in new noise sensitive development.

- 10.3 LP policy D5 says development should provide the highest standard of accessible and inclusive design, which allows them to be to be used safely, easily and with dignity by all, also reflected in CLP policies D1, H6, and C6.

***Design and layout***

- 10.4 Part of the design-led approach to delivering effective high-density housing is about ensuring the development does not compromise the size and layouts of units, ensuring high quality homes across the scheme. CLP policy H6 confirms that new residential development should conform to the Nationally Described Space Standards, and this is reflected in LP policy D6 which sets the same minimum space standards in Table 3.1 of the London Plan 2021. The relevant excerpt from the table is reproduced below.

Type of dwelling		Minimum gross internal floor areas* and storage (square metres)			
Number of bedrooms (b)	Number of bed spaces (persons(p))	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *	N/A	N/A	1
	2p	50	58	N/A	1.5
2b	3p	61	70	N/A	2
	4p	70	79	N/A	2
3b	4p	74	84	90	2.5
	5p	86	93	99	2.5
	6p	95	102	108	2.5

*Table 5 - Minimum internal space standards (London Plan Table 3.1, Policy D6)*

- 10.5 All the 15 proposed residential units in the detailed scheme meet or exceed the London Plan minimum space standards (the same as Nationally Described Space Standard) in terms of overall size and individual room sizes. The new units would have good ceiling floor to heights (around 3.3 metres for the 3 x ground floor units and 3.1m for the upper floor units) and good room sizes. They are well laid out with a simple and rational plan form. All the upper floor flats have a balcony and the ground floor flats each have access to private amenity space. All of the 15 x flats would have access to a communal residents garden to the rear of the building. Sufficient built-in

storage is incorporated into each flat, including additional space for wheelchairs where applicable.

- 10.6 The upper floor flats and one of the ground floor units (Flat 1) would be accessible from a communal side passage adjacent to the western boundary, with an adjoining lift and staircase core to the rear of the building giving access to the upper floor units. Flats 2 and 3 on the ground floor would have direct access from Malden Road.
- 10.7 The 3 x ground floor flats would have level access. Flats 1 – 2 would be constructed to be suitable for immediate occupation for a wheelchair user, and Flat 3 would be constructed with the potential to be adapted for occupation by a wheelchair user. Flats 1 – 3 would be provided as affordable housing. These three flats each also have their own private amenity space (a garden) to the rear of the building and accessible from the flats' bedrooms.
- 10.8 The upper floor flats are accessible from covered deck accesses to the building's rear elevation. Each of these flats would have their own private amenity space (a balcony). The first and second floor flats are provided with either a 5sqm or 7sqm covered balcony, accessible from the living area and facing onto Malden Road. The four third floor flats have larger, uncovered amenity spaces which extend the full width of the flats, accessible from living rooms and bedrooms, facing onto Malden Road and both Malden Road and Wellesley Place in the case of the corner flat (Flat 15).
- 10.9 Notably, all of the 15 flats are dual aspect which allows for cross ventilation and optimises sunlight and daylight access to the internal living areas. This is achieved through the deck access to the flats.
- 10.10 CLP policy A2 states developments should seek opportunities for providing private amenity space, and LP policy D6 says that 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m.
- 10.11 The balconies range from 5sqm to 12sqm, depending on the unit size, and ensure a good depth and width of 1.5m or more, with all units meeting the LP policy requirements.
- 10.12 Overall, the proposed homes and amenity space comply with policy and would result in a high-quality development and provision for future occupiers.

***Noise and vibration***

- 10.13 The new homes are located adjacent to a relatively busy road, so there would be an expected level of noise and disturbance. However, adequate noise insulation has been recommended by the council's environmental health officer to comply with CLP policies A1 and A4, subject to conditions.

- 10.14 The site is also located in proximity to a public house, The Gipsy Queen, north-west to the site at the corner of Malden Road and Haverstock Road. However, it is more than 11m away and there are several intervening buildings, the proposed residential units do not have any windows on the north-west elevation facing the public house, and the public house has no outdoor seating on Malden Road. As such, the proposed flats would not be adversely affected from noise emitted from the public house and the ongoing operation of the pub would be unlikely to be impacted.
- 10.15 Noise from plant within and on top of buildings would be conditioned in terms of noise levels, and there would be a requirement for anti-vibration mounts (conditions 20 and 25).
- 10.16 Mechanical ventilation and heat recovery (MVHR) will be used throughout the development to remove excess heat without relying on the use of openable windows, which would otherwise result in high internal noise levels. Although there would still be openable windows under occupant control for purge ventilation, this would allow occupants to keep windows shut during noisier periods, making full use of the above noise mitigation while still allowing a comfortable internal climate.
- 10.17 The dwellings will be constructed to a high standard that would ensure that the occupiers are not unduly impacted by noise from inside the block, or outside the building, in accordance with the development plan.

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

#### Methodology

- 10.18 The internal daylight/sunlight report applies the relevant BRE guidelines to the proposed units. 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 make a balanced judgement.
- 10.19 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 if the resulting scheme would provide acceptable living standards.
- 10.20 The BRE guidance uses Climate Based Daylight Modelling (CBDM) to assess the light for proposed development. This methodology is a complex simulation of actual daylight levels but has targets that are generally more difficult to achieve in an urban context than older BRE guidelines.

10.21 The recommended CBDM methodology is based on the British Standard 'Daylight in Buildings' (BS EN17037). The council supports use of Spatial Daylight Autonomy (sDA) to measure daylight, and Sunlight Exposure (SE) targets to measure sunlight. The British Standard contains guidance on interior daylighting for buildings across Europe but also has a UK National Annex with alternative sDA targets for dwellings in the UK. The council supports the use of these simpler alternative illuminance targets to take account of our denser context.

10.22 The submitted report uses the following metrics in its assessment of proposed accommodation in line with BRE guidance and British Standard:

- **Spatial Daylight Autonomy (sDA)** – A prediction of median illuminance levels (lux) in the room.
- *The UK National Annex recommends the following median (average) illuminances should be exceeded for at least 50% of the room for at least half the daylight hours: 100 lux in bedrooms, 150 lux in living rooms, and 200 lux in kitchens. Between 150 lux and 200 lux can be used for combined living/kitchen/dining room.*
- **Sunlight Exposure (SE)** – A prediction of how many hours of sunlight the centre of a window receives on 21 March (spring equinox).
- *The guidance says a habitable room in the home (preferably the main living space) should receive at least 1.5 hours of sunlight.*
- **Sun-hours on Ground (SoG), also known as Overshadowing** – The amount of direct sunlight received by open spaces.
- *The BRE recommends at least half (50%) of the area should receive at least two hours (120 mins) of sunlight on 21 March (spring equinox), and the area which can receive some sun on 21 March is less than 0.8 times its former value.*

#### Assessment

10.23 The results show all of the 44 habitable residential rooms will exceed the 150 lux target for more than 50% of the rooms, giving adequate levels of daylight in the proposed dual aspect homes.

10.24 The sunlight results show that 31 (70%) of the 44 proposed habitable rooms meeting the 1.5 hours of sunlight criteria. Looking at only the primary living space, this rises to 100% of the main living rooms (LKD's or living rooms) tested satisfying or exceed the 1.5 hours of sunlight target. Where the target is not met, these are to rooms served by windows facing predominantly north where sunlight is more restricted. Due to the orientation of the site which would necessitate some rooms being single aspect and needing to face north, it is not possible to ensure all habitable rooms can satisfy the 1.5 hours target. Notably, where the shortfalls in sunlight do occur, these are limited to bedrooms only which have a lesser intensity of use during daytime compared

to the main living rooms, and these bedrooms otherwise receive acceptable daylight.

- 10.25 The inset balconies for the upper floor residential units provide outdoor amenity space and shading to main living spaces which helps to limit risk of overheating. However, this in turn limits light, and this is often a trade-off to be considered when providing housing in dense urban areas which provide acceptable levels of amenity, while also being resilient to climate change. Nonetheless, the main living accommodation in the homes would receive good levels of sunlight.
- 10.26 The rear gardens for ground floor flats 1 – 3 are unlikely to receive at least two hours sunlight over at least half of each garden on 21 March. However, due to the need to locate the gardens at the rear of the building, it is not possible to reposition the private amenity spaces for these three units to receive compliant or near compliant outdoor spaces in terms of the BRE target. These outdoor spaces are otherwise private, would receive adequate daylight, and are relatively generously sized for one- and two-bedroom homes. The communal residents garden, which flats 1 – 3 would have access to, is better positioned to receive sunlight. Additionally, flats 1 -3 are also provided with raised planter beds at their Malden Road frontage, which are well-positioned to receive sunlight due to being predominantly south facing.
- 10.27 As set out within the BRE guidelines and the NPPF, daylight and sunlight availability are one of several considerations in site layout design. A balance between the various design factors needs to be made to ensure an overall high quality of housing. Other issues such as provision of a balcony, for amenity space (see section below) and for shading to reduce solar gain, need to be considered together. Overall, whilst achieving this balance, the daylight and sunlight assessment results show a good level of compliance while ensuring the development makes optimal use of the potential for the site.

***Outlook and privacy***

- 10.28 The outlook from the proposed housing is excellent, with primary views out across Malden Road and Wellesley Place, with good separation distances.
- 10.29 There are smaller separation distances to the north of the site where the outlook is towards 1 Wellesley Road (Wellesley Road Care Home), but these are generally secondary areas of outlook for dual aspect homes which still retain good primary outlook across the roads at the front and side of the site.
- 10.30 These design measures mean that a reasonable sense of outlook and privacy can be maintained, even in a denser environment.

### ***Accessible homes***

- 10.31 The flats have been designed to a high standard of accessible and inclusive design, and CLP policy H6 requires 90% of new-build homes to comply with M4(2) (accessible and adaptable dwellings) and a requirement for 10% of new build homes to comply with M4(3) (wheelchair units).
- 10.32 The proposed homes have been designed to accommodate 13% (two homes) as M4(3) of the Building Regulations, with the remaining 87% meeting M4(2). The M4(3) standard refers collectively to "Wheelchair User Dwellings". This includes Wheelchair Adaptable Dwellings under M4(3)(2)(a) (ones which can be easily adapted for a wheelchair user), and Wheelchair Accessible Dwellings under M4(3)(2)(b) (ones which are fully adapted for a wheelchair user when constructed). The Wheelchair Accessible Dwellings are only required on the social-affordable rented homes where the council will have nominations.
- 10.33 Two of the three ground floor homes are designed as wheelchair dwellings. Flat 1 is specifically designed to be Wheelchair Accessible Dwellings under M4(3)(2)(b), while Flat 2 is designed as a Wheelchair Adaptable Dwellings under M4(3)(2)(a). Notably, these two homes are Affordable homes, which is welcomed.
- 10.34 Exceeding the policy requirement, the amount of accessible housing delivered by the scheme could have a notable positive impact on disabled residents and older residents with limited mobility (disability and age being protected characteristics – see note at the front of the committee pack on the Public Sector Equality Duty). This would provide a more accessible, sustainable, and inclusive environment in accordance with CLP policies H6 and C6.
- 10.35 A condition would be attached to secure the provision of the accessible and wheelchair dwellings (condition 32).

### ***Conclusion***

- 10.36 The proposed homes are acceptable in terms of aspect, outlook, noise, light, and amenity space, and would provide an acceptable level of amenity. They would provide accessible homes for all, including provision of wheelchair homes that exceeds policy requirements, allowing the buildings to house an inclusive community that can use them safely, easily and with dignity.

## **11. IMPACT ON NEIGHBOURING AMENITY**

- 11.1 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.

- 11.2 The Amenity CPG, and the BRE Guidelines focus on impacts to residential properties with protection of their amenity being given greater weight. Paragraph 3.7 of the CPG states:

*“Although it is normally only residential uses that are assessed, there may also be non-residential uses, existing nearby or proposed as part of the application, that are particularly sensitive to light and so justify a report.”*

- 11.3 In this case there are several non-residential uses in the area but the most sensitive of these in terms of amenity are the adjacent residential uses including the Wellesley Road Care Home to the rear of the site.

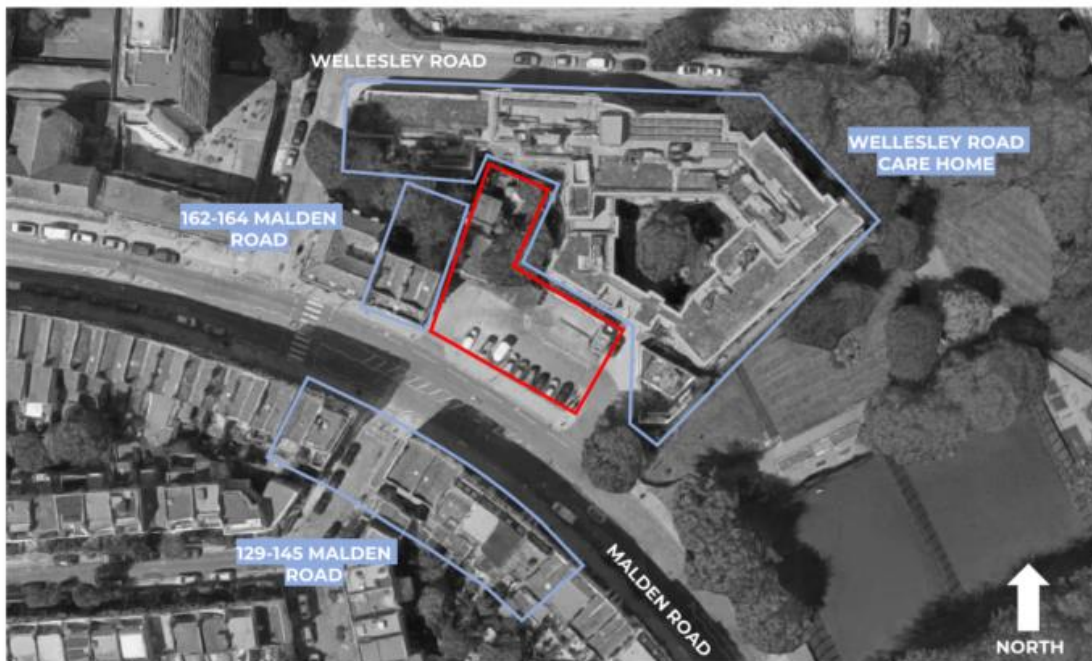


Figure 3 – Site and neighbours likely to be impacted

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

- 11.4 A Daylight and Sunlight Report has been submitted as part of the application which details any impacts upon neighbouring properties.
- 11.5 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.

- 11.6 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

- 11.7 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.*
- **Sun-hours on Ground (SoG)**, also known as **Overshadowing** – The amount of direct sunlight received by open spaces.
- *The BRE recommends at least half (50%) of the area should receive at least two hours (120 mins) of sunlight on 21 March (spring equinox), and the area which can receive some sun on 21 March is less than 0.8 times its former value.*

#### Categorising impacts and alternative targets

- 11.8 The BRE guidance targets are based on a model which is meant to apply broadly across the whole country, so it does not tend to account for much denser urban settings like London or Growth Areas. As a result, it recommends setting alternative targets which take account of relevant local context.



- 11.9 Table F1 of the BRE guidance indicates suggested alternative VSC targets based on street width to building height ratios, and a flexible approach to targets is supported by London Plan Guidance for Housing which states:

*The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.*

- 11.10 In these relatively dense urban locations, a retained VSC value of 15-20% VSC can often be considered an acceptable level of retained daylight. Although this site is in a relatively built-up area, the area to the north is slightly lower density so a target in the upper middle of this range is more appropriate – a target of 18% VSC and 50% room area for NSL. The targets are also consistent with those that have been applied to other schemes in Camden.

#### Assessment

##### *129-145 Malden Road*

- 11.11 The nine properties are located to the south of the site along Malden Road. 29, 131, 133, 135, and 137 Malden Road provides residential accommodation over four floors starting from the lower ground floor. 139 and 141 Malden Road provide commercial spaces on the ground floor, and residential on the upper floors. Only the residential windows on the northern façade of the properties, facing the development site, were assessed for impact.
- 11.12 The results of the VSC analysis demonstrates that 67 out of 68 windows analysed achieve a VSC of greater than 27% and a relative VSC of greater than 0.8 times the existing value.
- 11.13 The one window that falls short of the VSC target adjoins the ground floor retail space at 139 Malden Road. However, as this window serves a retail space, which is a less sensitive use, the VSC shortfall to this window is acceptable.
- 11.14 The second room with an impacted no-skyline is the lower ground room of 137 Malden Road, which is assumed to be a bedroom. The BRE guidelines state that the daylight distribution of bedrooms is less important than living rooms. As the results of the VSC analysis demonstrates that the window to the lower ground room has a VSC greater than 27%, it is considered that the daylight experienced by the occupants within the lower ground floor bedrooms will unlikely be significantly impacted on balance.

11.15 In terms of sunlight, all assessed windows achieve the BRE target of at least 25% APSH and 5% WPSH, therefore the proposed scheme has negligible impact to the sunlight received by these properties.

*162-164 Malden Road*

11.16 162-164 Malden Road is located to the west of the site along Malden Road, providing retail on the ground floor and residential accommodation over upper two floors. 164 Malden Road has an approved application for a third floor extension, which was included within this assessment.

11.17 The results of the VSC analysis demonstrates that 28 out of 29 windows analysed achieve a VSC of greater than 27% and a relative VSC of greater than 0.8 times the existing value.

11.18 The one window that falls short of the VSC target adjoins the living room on the first floor. However, the living room is a dual aspect space with windows facing away from the proposed scheme so it has other opportunities for good daylighting. As such, the daylight distribution analysis demonstrates that impact to the no-sky line is negligible within all 21 rooms assessed. Therefore, although the VSC of one window to the living room is impacted, the overall daylight experienced by the occupants within the room is unlikely to be impacted significantly.

11.19 In terms of sunlight, all assessed windows achieve the BRE target of at least 25% APSH and 5% WPSH, indicating that the proposed scheme has negligible impact to the sunlight received by these properties.

11.20 Regarding overshadowing of the rear garden amenity spaces at these properties, the proposal would not meet the overshadowing threshold set out within the BRE guidelines.

11.21 However, it should be noted that the existing rear garden amenity to 162-164 Malden Road are north facing spaces that lack sunlight access in its existing state, because the buildings block the sunlight to their own gardens. The existing lit area for 162 and 164 Malden Road is 9% and 37%, respectively. Additionally, the rear garden amenity spaces contain large existing trees that likely block a significant amount of sunlight. Thus, the occupants are unlikely to experience a major impact to sunlight access with the proposed development in place.

*Wellesley Road Care Home*

11.22 The Wellesley Road Care Home is located north of the proposed site along Wellesley Road.

11.23 The results of the VSC analysis demonstrates that 45 of the 55 windows analysed achieve a VSC of greater than 27%.

11.24 Of the 10 windows that fall short of the 27% VSC target:

- Three adjoin a communal seating area on the ground floor;
- One adjoins an office on the ground floor;
- Three adjoin a hallway on the ground and first floors; and
- Three adjoin a communal activity room on the first floor.

- 11.25 The level of daylight distribution within rooms deemed habitable of the property was also considered. This analysis demonstrates that 20 out of 21 assessed rooms experience an impact to the no-sky line. However, the one impacted room is a hallway which is not considered to be a habitable room for the residents of the care home. Most importantly, no bedrooms in the care home experience an impact of daylight from the proposed scheme.
- 11.26 Therefore, although 10 windows fall below the 27% VSC target, the rooms adjoining the windows are mostly dual aspect spaces, allowing negligible impact to the daylight distribution within the rooms.
- 11.27 In terms of sunlight, 26 achieve the APSH target and 28 windows achieve the WPSH target out of 32 windows.
- 11.28 The impacted windows adjoin two office rooms, one sitting area, and one activity room. However, the sitting area and activity room are dual aspect spaces with windows that do meet the APSH and WPSH targets. Additionally, the proposed scheme does not impact the sunlight received by any bedrooms within the care home.
- 11.29 Therefore, the results of this analysis demonstrate that the proposed scheme will not have a significant effect on the sunlight enjoyed by the Wellesley Road Care Home and the BRE guidelines are achieved.

#### *Conclusion*

- 11.30 Whilst there are some localised impacts, these are focussed on only a few windows and generally have very limited impact when considered in the round and looking at the affected properties as a whole. As such, the impact on light would be acceptable

#### ***Outlook and privacy***

- 11.31 The outlook most of the properties in the area, particularly the housing, is excellent with primary views out across Malden Road and Wellesley Place, with good separation distances.
- 11.32 There would be some level of overlooking of the Wellesley Road Care Home to the north of the site, however the overlooking would generally be from the open-air deck accesses at the first, second and third floors to the rear of the building, serving as the access to these flats. Therefore, overlooking from residents would be short in duration and therefore have no discernible impact. Views may also be possible from the habitable rooms onto the rear elevation of the building, however these generally relate to secondary

windows from LKDs or bedrooms. Views from these internal spaces would also be interrupted by the balustrade to the adjoining deck access.

- 11.33 The building is also designed to be set away from Wellesley Road Care Home as far as practicably possible, with a separation of approximately 4.5-5m from the edge of the upper floor rear balustrades to this adjoining property boundary. The window to window distances are closer to 10m. The office component of the building is built up to the boundary with the Care Home, however this part of the building is single storey and would not dominate the outlook from the Care Home.

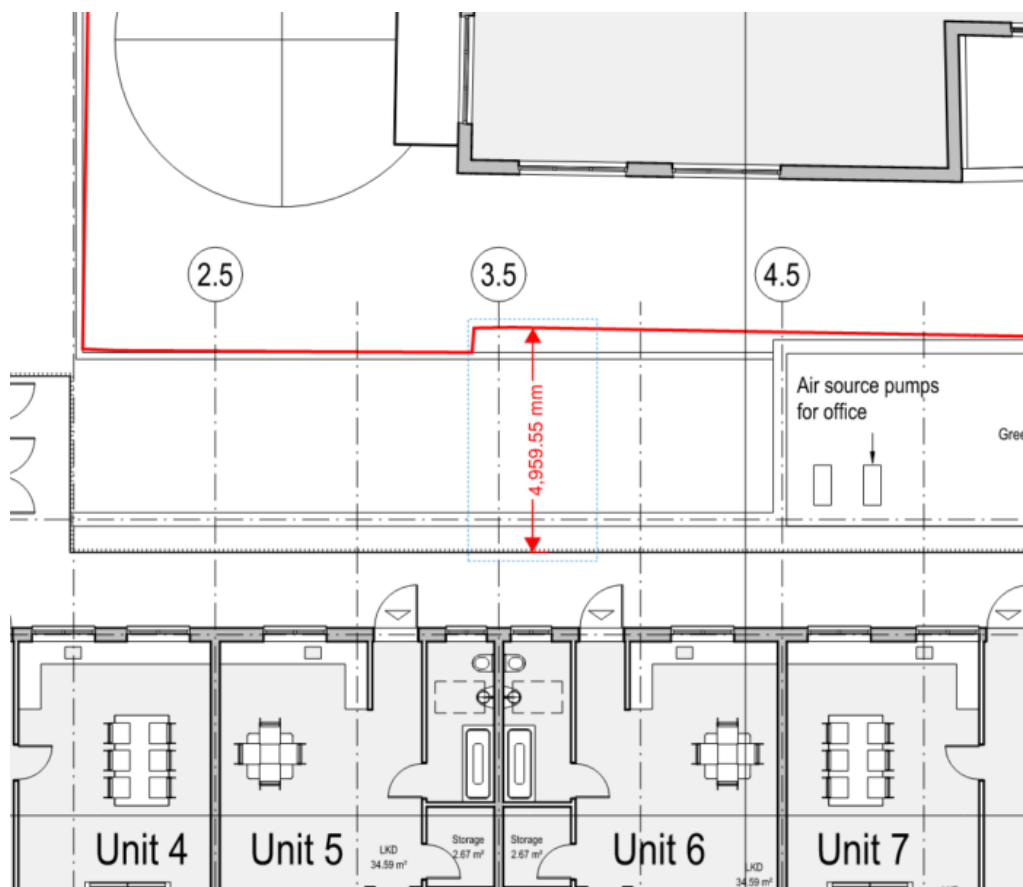


Figure 4 – Inset of First Floor plan showing separation distance from the deck access balustrade to Wellesley Road Care Home

- 11.34 The overlooking impact, whilst perhaps felt more by neighbours due to the proposed use of the building, would be mitigated by the separation distance, the design and form of the building and would not result in a harmful impact on privacy.

### Noise

- 11.35 The uses are appropriate for the inner London location with good public transport access, with new residential accommodation and office floor space. There is an existing level of noise and disturbance in this location next to a relatively busy road, and the introduction of these new uses is not expected to contribute significantly towards this. Indeed, the existing use of the site as

general industrial could allow continued noise and disturbance from a whole range of industrial uses. A move to office and residential uses on the site is only likely to reduce the impact to neighbours. The robust noise insulation to protect future occupiers would also prevent noise outbreak from affecting neighbours.

- 11.36 The proposal includes installation of plant equipment, and this is designed to be inside the building or within the proposed plant enclosures to the rear of the buildings, mitigating any noise and vibration from the plant. Furthermore, the council's noise officer has supported the application, recommending noise from plant to the rear and on top of building be conditioned in terms of noise levels and vibration mounts (conditions 20 and 25)
- 11.37 Given suitable facade design specification and mechanical plant noise level criteria, officers are satisfied that the submitted acoustic submissions meets local plan guidelines and would protect neighbouring occupants from harmful noise in accordance with CLP policies A1 and A4.

## **12. URBAN DESIGN**

- 12.1 Camden Local Plan policies D1, D2 and CPG (Design) are relevant to the consideration of design when assessing planning applications. LP Policies D3, D4, D5, D8, and D9 are also relevant.
- 12.2 An earlier revision of the proposal was presented to the Camden Design Review Panel (DRP) at the end of October 2023. The Panel was broadly supportive of the height and scale of the building. However, they considered that there was room for improvement to the ground floor homes particularly regarding their relation to the pavement edge. They also had concerns about the outlook from the communal rooms of the Wellesley Road Care Home and the appearance of the building at the time.
- 12.3 In response to the DRP's concerns a number of changes have been made to the proposals. For example, the front doors to the three ground floor homes have been setback from the Malden Road pavement edge to provide a buffer. The DRP recommended that changes be made so that residents could see more activity at the rear of the building. Previously windows to kitchens to upper-level flats had been obscured to prevent overlooking to the Care Home. On balance it is considered that seeing some activity at the rear of the building is more beneficial to the Care Home residents, so the obscured glass has been replaced with ordinary glazing. Also, the bike store has been moved to the rear of the communal garden which will promote more visible activity at the rear of the building. Previously the building's appearance had a horizontal emphasis. The DRP recommended that the building, in terms of its response to local context should have a more vertical emphasis. The material palette has been simplified to a single brick tone

throughout and the window proportions changed to produce a more positive response to local context.

### ***Site and Context***

- 12.4 The site is situated on the northern eastern most side of Malden Road between the Wellesley Road Green Space and buildings fronting Malden Road. The rear of the site is bounded by buildings forming the Wellesley Rd Care Home.
- 12.5 The character of the surrounding area is mixed with Victorian terraces, 1960s social housing and the more recent Wellesley Road Care Home. The height and scale of the surrounding buildings is also mixed ranging from 3-5 storeys on Malden Road. The existing site is currently occupied by a few low rise buildings including an MOT garage and car wash with an associated parking area which appears as a gap in the street and an anomaly in terms of the general character.

### ***Layout***

- 12.6 The main bulk of the proposal is a rectangular block fronting Malden Road. The proposed footprint of the building continues the building line along Malden Road providing an active frontage to this section of Malden Road with front doors to the ground floor flats, access to the rear via an enclosed communal access, and the front door to a commercial unit. The rear of the building comprises garden spaces to the ground floor flats and a communal garden to for the flat's residents along with bike storage space and access to the upper storey access decks via a lift and stair core. The arrangement of the flats accessed from the access decks allows for all the flats to be dual aspect.
- 12.7 A commercial unit occupies the ground floor on the southeastern most flank of the building providing overlooking to an access road to the care home and further activation of the street, along with the three ground floor flats fronting Malden Road.
- 12.8 The approach to use well-designed deck access homes to the upper floors, encourages social interaction and a sense of neighbourliness, while providing for an array of internal amenity benefits to residents of these homes. The provision of a communal garden to the rear of the site would also provide a social space to help foster a community for residents.
- 12.9 The communal access to the housing is clearly and securely located at the Malden Road frontage. The entrance is accessible for a range of occupiers, including those with wheelchairs or pushchairs. Refuse is provided close to the entrance, conveniently accessible to residents. An internal alleyway, with a translucent canopy cover over the section outside the lift and stair core, provides covered access to ground floor Unit 1 and the upper floor homes.

Clear sightlines are provided along the access and towards the bicycle store at the rear of the site.

### ***Massing***

- 12.10 The building comprises 3 storeys with an additional setback roof storey. While the building would be taller than the adjoining buildings to the north on Malden Road and adjacent buildings to the south-west, Malden Road is a wide street, and there are a number of buildings ranging from three to four stories high with additional roof extensions opposite the site on the other side of Malden Road.
- 12.11 Notably, the setback of the third floor would significantly limit the overall bulk of the building, allowing this floor to be seen as a roof or top to the building, as well as providing for variation in the bulk of the building.
- 12.12 Overall, the proposal would sit comfortably with the existing townscape and context, repairing the current gap caused by this under-developed site.

### ***Appearance and architectural design***

- 12.13 Buildings along Malden Road, particularly the Victorian properties, tend to have a vertical emphasis defined by the arrangement of the window openings along with a defined base. The current proposals replicate this condition with the vertical alignment of the window openings and their proportions, along with the alignment of the recessed balconies and their divisions. The base of the building is defined by the setback of the residential properties from the pavement to improve levels of privacy to these homes.
- 12.14 The predominant materiality of the building comprises dark grey brick with metal balustrades, in complementary colours, to the balconies and access decks. The rear access core is wrapped in a white metal mesh to provide contrast and a lighter appearance. Recessed window openings correspond with the deep reveals of the window openings of the Victorian properties. All the proposed materials are high quality and provide a suitable response to those found locally. A condition is recommended requiring detailed drawings or samples where required of all windows, doors, facing materials, railings, balustrades and decorative features to be submitted, ensuring quality of the final build (condition 7).

### ***Design conclusion***

- 12.15 In conclusion, the proposals represent a high quality and contextual design response to the site, providing a well-designed building, in part resulting from ongoing collaboration with officers and the Design Review Panel.

## **13. NATURE CONSERVATION, LANDSCAPE AND BIODIVERSITY**

- 13.1 London Plan policy D8 (Public realm) states that new development proposals should seek to create new public realm and that the public realm should be

of a high quality. The Camden Local Plan policies A2 (Open space) and A3 (Biodiversity) and Camden CPG Biodiversity seek to protect existing trees, secure additional trees and vegetation and to protect and promote biodiversity.

### ***Trees***

- 13.2 The scheme involves the removal of four trees and two tree groups, all of which are category C (low quality) or category U (poor quality) in accordance with BS5837:2012. The trees are all located to the north-east corner of the site, behind the existing garage building, and while visible from the public-realm, their visual significance is somewhat limited due to their secondary location at the site.
- 13.3 The trees are highly likely to be self-sown which does not automatically devalue a tree but in this instance has resulted in young trees growing in extreme close proximity to structures. The loss of amenity and canopy cover could be mitigated against through the replacement planting proposed which would be secured by condition (condition 8).
- 13.4 The impact of the scheme on the tree to be retained (located at Wellesley Road Care Home) will be of an acceptable level. The tree protection details are considered sufficient to demonstrate the trees to be retained will be adequately protected throughout development.
- 13.5 Conditions requiring compliance with tree protection details and landscaping details to include details of replacement trees and tree pit sizes will secured these requirements (condition 6 and 31).

### ***Biodiversity***

- 13.6 The statutory Biodiversity Net Gain (BNG) provisions apply to this site. The baseline condition of existing habitats at the site is very low, given the dominance of developed land, and in particular lack of sufficient canopy foliage to support nesting birds and the lack of ecological niches for invertebrate specie.
- 13.7 The proposal is to replace the existing habitats on site with a new building with a biodiverse green roof, with a communal garden area, introduced shrub and five new urban trees.
- 13.8 Under the current proposals, the scheme would result in a 280.48% net gain, however, trading summary rules will not be satisfied due to the loss of three existing small trees on site. The applicant has investigated, and is intending to purchase off-site biodiversity units to make up the shortfall resulting from their proposals
- 13.9 Notwithstanding this, it is considered that the loss of the existing trees on site will be sufficiently mitigated by the planting of a biodiverse green roof and



two new urban trees to replace the ones to be lost, which will result in a significant net gain in biodiversity and be an overall benefit to local wildlife.

- 13.10 Council's Nature Conservation Officer considers that the biodiversity gain condition is capable of being discharged successfully.
- 13.11 Although there is a significant net gain in total, the 10% gain is required for each existing habitat. Although there are trees proposed, the current proposal is unable to mitigate the loss of individual urban trees on site, and so they will need to secure the remainder required, either through purchasing credits or off-site provision. This would be confirmed via discharge the statutory BNG condition - this is referenced in Informative 15.
- 13.12 Although a relatively small site, the gain is significant in terms of the low baseline for this site, and so a s106 head of term for a habitat management and monitoring plan covering a 30 year period, including monitoring fees, for the whole site is recommended.
- 13.13 The Urban Green Factor is relevant in this case as it involves the development of a brownfield site. Urban Greening Factor (UGF) is a land-use planning tool to help determine the amount of greening in new developments. London Plan policy G5 (Urban greening) sets a target of 0.3 for the UGF for commercial developments and 0.4 for residential developments in reflection of the additional pressure residential developments put on local green space. Given this is a residential-led scheme, the higher 0.4 value is a more appropriate target. The proposals achieve an UGF of 0.43 which exceeds the target for both residential and non-residential development. Conditions are proposed to ensure the green infrastructure contributing to the UGF, notably the green roofs, trees and planting, are secured. Given the above, the proposals are considered acceptable in nature conservation, landscape and biodiversity terms in line with the development plan.

## **14. SUSTAINABILITY AND ENERGY**

- 14.1 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.
- 14.2 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.

### ***Redevelopment strategy***

- 14.3 The development plan promotes circular economy principles and local plan policy CC1 and London Plan policy SI7 require proposals involving substantial demolition to demonstrate that it is not possible to retain and improve the existing building and to optimise resource efficiency.
- 14.4 The proposal includes substantial demolition of the existing structures on the site, rather than refurbishment or extension. Clearly the opportunity to repurpose a garage/workshops through refurbishment or extension is very limited, and retaining this building would severely limit the ability to plan the site effectively and comprehensively. Furthermore, the current use as a garage and car wash and the risk of contamination means that site clearance and decontamination of the site are preferred to lower the risk of contaminants passing to future occupiers.
- 14.5 Demolition and new build in this case is a sensible approach to optimising the development potential of the plot and contribute to the housing growth in this inner London location with good public transport access.
- 14.6 Nonetheless, the applicant submitted a Circular Economy Statement in line with the requirements in the CLP and guidance and this explored opportunities for material reuse.
- 14.7 Given the age, construction and use of the existing structures for vehicle servicing, the reuse of the materials on site in any realistic way is unlikely. This is particularly the case given the likely contamination from petrochemicals which would limit the reuse of the various materials on site.
- 14.8 A pre-demolition audit would be secured as a condition of permission (condition 5) to ensure all endeavours are made to incorporating existing building fabric at the site into the construction of the proposed development, or otherwise recycled, where feasible.
- 14.9 To ensure greater resource efficiency through recycling and reuse of materials, the council normally expects 95% of construction and demolition waste to be reused, recycled, or recovered, and 95% of excavation waste to be put to beneficial use. However, given the risk of contamination in this instance, it is recommended not to require this.
- 14.10 Where demolition is justified, as in this case, a Whole Life Carbon (WLC) assessment is required to show that any replacement building has considered the carbon impact of the construction and use of the building over its lifetime. This should be in line with the GLA WLC assessment guidance and benchmarks.

**Whole Life Carbon**

- 14.11 The Whole-Life Carbon (WLC) emissions are the total carbon emissions resulting from the construction and the use of a building over its entire life (this is assessed as 60 years), and it includes its demolition and disposal. This is split into modules that assess each stage of the building’s life.
- 14.12 The A-Modules concentrate on the emissions from the building materials (A1-A3 extraction, supply, transport and manufacture) and the construction stages (A4-A5 transport, construction and installation).
- 14.13 The B-Modules concentrate on the use stage of the building (B1-B5 use, maintenance, repair, replacement, refurbishment), but the modules that deal with operational energy and water use are excluded (B6-B7). This is because they are “regulated emissions” and so are considered separately and in detail in relation to the zero-carbon target (see the “Energy and carbon reductions” section below).
- 14.14 The C-Modules deal with the end-of-life stage of the building (C1-C4 deconstruction demolition, transport to disposal, waste processing for reuse, recovery or recycling, disposal).
- 14.15 Carbon sequestration is when carbon dioxide is removed from the atmosphere and held in materials, for example the carbon absorbed by trees as they grow and locked in timber until the end of its life. It is important to consider this in the end-of-life phase because the carbon is released again at the end of its life (when it decomposes), so it is included in the total A-C-Modules.
- 14.16 The GLA WLC assessment guidance sets out minimum benchmarks for different building typologies per square meter of gross internal area in kilograms of carbon equivalent (kgCO<sub>2</sub>e/m<sup>2</sup> GIA). It also encourages development to aim for more ambitious aspirational benchmarks. The table below shows how the development performs against the residential benchmarks, as well as the aspirational targets as these are the most appropriate for comparison for this development. The figures provided are from the updated WLC Assessment July 2024.

<b>Modules</b>	<b>Min benchmark RESIDENTIAL (kgCO<sub>2</sub>e/m<sup>2</sup> GIA)</b>	<b>Aspirational Benchmark for RESIDENTIAL (kgCO<sub>2</sub>e/m<sup>2</sup> GIA)</b>	<b>Proposal (kgCO<sub>2</sub>e/m<sup>2</sup> GIA)</b>
A1-A5	<850	<500	490
B-C (excl B6 & B7)	<350	<300	264

Total A-C (excl B6&B7 but inc sequestration)	<1200	<800	718
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*Table 5 - Summary of Whole-Life Carbon results for the residential development*

14.17 In this case, the development surpasses the benchmarks looking at preliminary assessment. Not only this, it also surpasses the aspirational benchmarks too, resulting in a highly carbon efficient building. Condition 18 is attached to make sure a post construction assessment of WLC is completed and provided for monitoring and compliance.

***Energy and carbon reductions***

14.18 To minimise operational carbon (heating, lighting and so on), development should follow the energy hierarchy set out in LP Chapter 9 (particularly Policy SI2 and Figure 9.2) and major developments should meet the target for net zero carbon. The first stage of the energy hierarchy is to reduce demand (be lean), the second stage is to supply energy locally and efficiently (be clean), and the third step is to use renewable energy (be green). The final step is to monitor, verify and report on energy performance (be seen).

14.19 After carbon has been reduced as much as possible on-site, an offset fund payment can be made to achieve net zero carbon.

Energy and carbon summary

14.20 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) (Site wide)</b>	<b>Min policy target</b>	<b>Proposal reductions</b>
Be lean stage (low demand): LP policy SI2	N/A	<b>14%</b>
Be green stage (renewables): CLP policy CC1	20%	<b>57%</b>
Total carbon reduction: LP policy SI2 and LP CC1	35%	<b>71 %</b>

*Table 6 – Site wide carbon saving targets (for majors) and the scheme results*

<b>Policy requirement (on site) (Residential)</b>	<b>Min policy target</b>	<b>Proposal reductions</b>
Be lean stage (low demand): LP policy SI2	10%	<b>14%</b>
Be green stage (renewables): CLP policy CC1	20%	<b>59%</b>
Total carbon reduction: LP policy SI2 and LP CC1	35%	<b>73 %</b>

*Table 7 – Residential area carbon saving targets (for majors) and the scheme results*

Policy requirement (on site) (Non-residential)	Min policy target	Proposal reductions
Be lean stage (low demand): LP policy SI2	15%	<b>11%</b>
Be green stage (renewables): CLP policy CC1	20%	<b>16%</b>
Total carbon reduction: LP policy SI2 and LP CC1	35%	<b>27 %</b>

*Table 8 – Non-residential area carbon saving targets (for majors) and the scheme results*

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

Total carbon reductions

14.22 Reductions are measured against the 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). To achieve net zero carbon, a carbon offset payment will be secured that offsets the remaining carbon emissions caused by the development after the required on-site reductions, measured from the agreed baseline.

14.23 This is charged at £95/tonne CO<sub>2</sub>/yr (over a 30-year period) which is 3.6 tonnes x £95 x 30 years = £10,260. This amount will be secured by a s106 agreement and spent on delivery of carbon reduction measures in the borough.

14.24 It is acknowledged that due to the changes to Part L 2021 with SAP10.2 carbon factors, these targets may be more challenging for non-residential developments to achieve initially. This is because the new Part L baseline now includes low carbon heating (like ASHP) for non-residential developments.

14.25 Residential development should be exceeding the target now, so GLA guidance has introduced a more challenging aspirational target of 50% on-site total savings that residential development should aim to achieve.

14.26 In this case, the development significantly exceeds the policy target of 35% reductions, achieving an overall on-site reduction of 71% below Part L requirements as shown in Table 6 above. The residential areas achieve a reduction of 73% which exceeds the aspirational 50% target. However, the non-residential areas only achieve a reduction of 27% which does not meet the 35% target.

- 14.27 The **carbon offset contribution of £10,260 will be secured** by s106 agreement to bring it to zero carbon, in compliance with the development plan.

Be lean stage (reduce energy demand)

- 14.28 London Plan policy SI 2 sets a policy target of at least a 10% (residential) and 15% (non-resi) reduction through reduced energy demand at the first stage of the energy hierarchy.

- 14.29 In this case, the development exceeds the policy target site wide, with the notable reductions secured from the residential element which is the vast majority of the floorspace. Broken down into residential and non-residential, the residential element has a Be Lean stage reduction of 14%, exceeding the 10% target by 4 percentage points through energy efficient design, in compliance with the development plan. This offsets the non-residential elements on the lower ground floor which do not meet the targets (by 4 percentage points) when looked at in isolation. However, the much larger floorspace given over to residential, and the excellent performance of those parts means overall the building would perform very well and surpass policy expectations. The proposals involve high performance insulation, low air permeability, efficient glazing, mechanical ventilation with heat recovery (MVHR), and address the requirements of the cooling hierarchy and overheating which have minimised the use of active cooling in the non-residential component of the development.

Be clean stage (decentralised energy supply)

- 14.30 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.

- 14.31 In this case an assessment of the existing London heat map has been made and the scheme is located near a heat network, 'Gospel Oak –Royal Free Energy Centre', that is operated by the London Borough of Camden. However, connection to the heat network is unsuitable for the proposal due to the size of the scheme and insufficient space on site. As such, the scheme has examined the feasibility for connections in line with the development plan.

Be green stage (renewables)

- 14.32 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.

14.33 In this case, the development significantly exceeds the policy target of 20% overall, reducing emissions by 57 % at this stage through renewables, in compliance with the development plan. The proposal includes PV panels on the roof with full details secured by condition 14. The proposal includes low carbon heating like Air Source Heat Pumps (ASHPs) which are proposed on the roof and to the rear of the building with full details secured by condition 15.

Be seen (energy monitoring)

14.34 The London Plan policy SI 2 requires the monitoring of energy demand and carbon emissions to ensure that planning commitments are being delivered. In this case, the development has committed to reporting.

14.35 The Energy and Sustainability Strategy secured by Section 106 legal agreement will secure reporting to the GLA in line with their published guidance.

14.36 Overall the scheme performs very well and provides significant site wide savings beyond the Building Regulations and so complies with the development plan as a whole in this regard.

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

14.37 Local Plan policy CC2 expects residential and non-residential development of 500 sqm floor space and above, to meet BREEAM Excellent. The proposals meet the overall BREEAM excellent standard for both the residential and non-residential components.

14.38 The scheme has considered and mitigated overheating with the overheating analysis demonstrating that cooling is only required for the office use. This is after applying the cooling hierarchy through using smaller window openings, high performance glass, aspect, to minimise active cooling in line with policy CC2. Condition 22 prevents cooling in rooms that will not overheat, limiting use of active cooling to the minimum necessary.

14.39 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.

14.40 In this case, the development incorporates SUDS and the provision of a green roof integrated with the solar panels, which would enhance the biodiversity of the site and reduce water runoff. Details of this system will be secured by condition 12 and 30. Condition 33 will secure water efficiency measures, ensuring a maximum internal water use of 105 litres per day (plus an additional 5 litres for external water use) for each home. Flood risk is covered in the 'Flood risk and drainage' section of this report.

14.41 Overall, the scheme is a well-thought-out energy efficient and sustainable design which performs very well against the development plan targets, even for a difficult site with significant engineering requirements. The proposal complies with the energy and sustainability objectives of the development plan.

## 15. AIR QUALITY

15.1 Camden Local Plan policy CC4 is relevant with regards to air quality. Assessment (AQA) including dispersion modelling predicting Air Quality (AQ) impacts. All developments are expected to meet the Mayor's Air Quality Neutral requirements. Owing to the scale of development, the introduction of sensitive uses and the potential to have an adverse impact on local air quality, a detailed Air Quality Assessment (AQA) has been submitted as part of this application which has been assessed by the Council's Air Quality Officer.

15.2 While the area does not have particularly poor air quality, the site is located next to a relatively busy road (Malden Road) and the scheme is residential and will introduce new receptors. The proposal incorporates Mechanical Ventilation and non-combustion heating to improve Air Quality for the future occupants. The site will also be car-free (see the TRANSPORT section) which will meet AQ neutral for transport emissions

15.3 The AQA outlines that the development would meet the air quality objectives for NO<sub>2</sub> of 40 µg/m<sup>3</sup>, set out in the Air Quality CPG.

15.4 The proposed development is Medium Risk for demolition and construction dust. Suitable mitigation has been recommended at this stage. However, the full details of mitigation measures to control construction-related air quality impacts would be secured within the Construction Management Plan as per the standard Construction Management Plan (CMP) Pro-Forma. The applicant will be required to complete the checklist and demonstrate that all mitigation measures relevant to the level of identified risk are being included. A condition is recommended for air quality monitoring during development works (condition 4) and to ensure that Non Road-Mobile Machinery (NRMM) used on the site complies with the relevant air quality criteria (condition 24).

15.5 The proposal complies with the requirements of the development plan in relation to air quality, subject to the recommended conditions and the **Construction Management Plan secured by s106 agreement.**

## 16. WATER, FLOOD RISK AND DRAINAGE

16.1 The development plan (CLP policy CC3 and LP policy SI12 and SI13) 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.



- 16.2 In this case, the development incorporates include green roofs and sustainable drainage including permeable paving, and a below ground attenuation tank, and tree pits. Indicative locations for water butts and tree pits have been provided.
- 16.3 There are 3 flood zones for flooding by rivers and the sea as defined by the Environment Agency; Flood Zones 1, 2 and 3. These are based on the likelihood of an area flooding, with flood zone 1 areas least likely to flood and flood zone 3 areas more likely to flood.
- 16.4 The site is located within Flood Zone 1. Specifically, the site is in the Maitland Park Local Flood Risk Zone, which is at a heightened risk of surface water flooding. Policy CC3 states that vulnerable development should not be located in flood prone areas.
- 16.5 Despite the risk of surface flooding affecting the site, the extents of surface water flooding are shown to not enter the site boundaries in all modelled flooding scenarios, with surface water flooding confined to within the carriageway of Malden Road and in area to the north west of the site within the garden of the Wellesby Road Care Home – with these depths shown to be below 300mm even in the low-risk scenario. Therefore, the risk of surface water flooding is considered to be low. Notwithstanding, a condition is attached requiring a Flood Risk Emergency Plan (Condition 16).
- 16.6 In terms of groundwater flooding, in this location the risk from groundwater flooding is low and a basement level is not proposed therefore providing no increased risk to the proposed development.
- 16.7 A Flood Risk Assessment and a SUDS Report have been submitted as part of this application. The submitted documents include proforma, drainage calculations, exceedance flow routes, and maintenance tasks ownership. SUDS are proposed in order to manage the water environment on and around the site.
- 16.8 The proposed attenuation features include green roofs, permeable paving, a below ground attenuation tank and tree pits. The proposed attenuation will help to slow rainfall reaching sewers. Conditions are attached to secure full details of the SuDS and their proposed storage capacities. The information will be required to demonstrate that the system has been designed to accommodate all storms up to and including a 1:100 year storm with 40% provision for climate change as well as demonstrating a run off rate of 4l/s. A further condition (condition 19) requires evidence of installation.
- 16.9 Condition 33 will secure water efficiency measures, ensuring a maximum internal water use of 105 litres per day (plus an additional 5 litres for external water use) for each home.

- 16.10 The Lead Local Flood Authority is happy with the proposals subject to conditions on SUDS and water efficiency. Given the above, the proposed measures are considered acceptable in terms of flood risk.

## **17. TRANSPORT AND HIGHWAYS**

- 17.1 Policies T1 and T2 of the CLP promote a move away from dependency on private motor vehicles, and a move to more sustainable modes of transport, supported by the right infrastructure and healthier environments. CLP policy T3 protects transport infrastructure which is also a critical objective of the London Plan.

- 17.2 The site has a good level of access to a public transport with a Public Transport Accessibility Level (PTAL) rating of 3 (moderate). The closest London Underground stations are Belsize Park and Chalk Farm, both an approximate 10-15 minute to the west and south of the site respectively. The site is also an approximate 10-15 minute walk from Gospel Oak and Kentish Town West railway stations to the north-east and south-east respectively, which provides London Overground services. Several bus stops are provided along Malden Road, including a bus stop less than 20m to the south of the site for southbound services. These bus stops serve routes 24 and 46.

### ***Trip generation***

- 17.3 Trip generation predictions were calculated by undertaking a comparative analysis of the trip generation of other comparable residential and commercial sites, all with similar PTAL ratings of 3 to 5, consistent with the PTAL at the application site.
- 17.4 This suggested around 30 pedestrian movements to and from the site in a day, and 16 vehicular movements, with the majority mode being public transport with around 37 movements a day.
- 17.5 It is likely that 77% of all trips will be carried out by sustainable modes, with public transport likely to be the preferred mode of transport, contributing to 42% of all trips, and walking and cycling contributing to 36% of all daily trips.
- 17.6 This volume of movements can be accommodated safely within the surrounding highway and public transport network.
- 17.7 Considering the increase in active travel to and from the site, the applicant will be requested to provide financial contributions of £40,000 towards Pedestrian, cycling and environmental improvements (PCE) comprising junction improvements, Healthy Streets measures and the introduction of segregated cycle lanes on Malden Road. This scheme is likely to be developed and implemented during the period 2025/26 to 2028/29.
- 17.8 The Active Travel Zone (ATZ) assessment included in the Transport Assessment focuses on five routes to key destinations. The analysis shows

mostly good walking and cycling conditions, with some beneficial improvements also possible.

### ***Travel planning***

- 17.9 A travel plan and associated monitoring and measures contribution is not required for this scale of development. However, the TA suggests that residents will be provided with a Travel Information Pack (with travel voucher) upon first occupation to encourage active travel, which is welcomed.

### ***Access and permeability***

- 17.10 The existing pedestrian access to the site is from Malden Road and Wellesley Place, with a vehicle crossing provided at both of these frontages. The existing sections of highway outside the site have a sufficient footway width to accommodate the anticipated additional pedestrian movements from the proposed development.
- 17.11 The development would not be provided with any on-site parking and the residential and commercial uses would be secured as car-free in accordance with Policy T2. Additionally, the proposal would remove the existing vehicle crossings, to be made redundant by implementation of the scheme, and reinstated with footway, an improvement to the pedestrian experience outside the site.

### ***Cycle parking***

- 17.12 The Council requires high quality cycle parking to be provided in accordance with Local Plan Policy T1, CPG Transport, the London Cycling Design Standards (LCDS), and London Plan Policy T5 for:
- 17.13 The proposed development will provide cycle parking that meets London Plan standards. For long stay the development is required to provide 28 spaces for the residential flats, and 1 spaces for the commercial unit; and for short stay, 2 spaces for the residential flats and 1 spaces for the commercial unit, equivalent to 3 Sheffield stands.
- 17.14 The residential accommodation will be provided with a cycle storage room to the rear of the main building, designed to accommodate 28 long-stay cycle parking. In addition to this, 2 long-stay cycle parking spaces will be provided for larger cycles. For the office element of the development, 2 long-stay cycle parking spaces will be provided within the office, near the entrance.
- 17.15 The cycle stores include a proportion of larger accessible spaces and a combination and two-tier stands in accordance with guidance in CPG Transport. The commercial unit accommodates cycle parking within the premises, which were designed to ensure that they have sufficient space.
- 17.16 Six short stay cycle spaces will be provided on Malden Road footway via 3 Sheffield stands. These have been proposed in a location convenient to the

development and avoid obstructing pedestrian movement. Any final agreed cycle parking on the highway would also normally be secured through a contribution securing these, so a bond to provide up to the maximum on the highway would be secured by s106 agreement. The cycle parking would be secured by condition 21.

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

- 17.17 The site is located in controlled parking zone CA-F(nw), which operates 08:30-18:30 Monday to Friday.
- 17.18 The development is proposed car-free in line with Policy T2. This would be secured by Section 106 agreement.
- 17.19 London Plan Policy T6.5 expects proposals to include an appropriate amount of Blue Badge parking, providing at least one space even if no general parking is provided.'
- 17.20 The space on site is limited but accessible parking can be provided on street. Camden Planning Guidance on Transport says the maximum distance Blue Badge holders should be expected to travel is 50 metres from the entrance to the site'.
- 17.21 Therefore, it is considered appropriate to seek an off-site contribution of £4,000 via Section 106 legal agreement for a disabled parking space to be provided on the public highway in a suitable location ideally within 50m from the site.
- 17.22 Overall, officers expect the large majority of visitors to travel to the site by sustainable modes of transport and provision can be made for Blue Badge holders through securing an off-site contribution for a disabled parking space in the highway.

### ***Construction management***

- 17.23 Construction management plans are used to demonstrate how developments will minimise impacts from the movement of goods and materials during the construction process (including any demolition works) in accordance with policies A1 and T4. A Construction Management Plan was submitted with the application. In absence of the appointed Principal Contractor for the project, this is a working document.
- 17.24 The site is located on Malden Road close to various schools, including Hasmorean Middle School, Stewart Middle School to the rear of Maitland Park Estate, as well as various nurseries in the surrounding area. Traffic congestion is a significant problem in this part of the borough, particularly during peak periods but often throughout the day on Monday to Friday. The primary concern is public safety, but also the need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area.

The proposal is also likely to lead to a variety of amenity issues for local people (e.g., noise, vibration, air quality, temporary loss of parking, etc). The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. More detailed Demolition Management Plan (DMP) and Construction Management Plan (CMP) documents would therefore be secured by legal agreement in accordance with Local Plan Policy A1.

- 17.25 The Council will expect construction vehicle movements to and from the site to be scheduled to avoid peak periods to minimise the impacts of construction on the transport network. Considering the proximity of several schools to the site, it will be necessary to restrict construction traffic to the hours of 9.30am and 3.00pm on weekdays.
- 17.26 The contractor will need to register the works with the Considerate Constructors' Scheme. The contractor will also need to adhere to the CLOCS standard for Construction Logistics and Community Safety.
- 17.27 The development will require significant input from officers at demolition and construction stage. This will relate to the development and assessment of the CMP as well as ongoing monitoring and enforcement of the DMP and CMP during demolition and construction.
- 17.28 Implementation support contributions of £10,116 and impact bonds of £16,000 for the demolition and construction phases of the development works would be secured by legal agreement in accordance with Policy A1.
- 17.29 The requirement to form a construction working group consisting of representatives from the local community prior to commencement of demolition or construction would be a requirement of the Section 106 CMP Head of Term. This would ensure sensitive neighbours, including the care home, have direct input into discussions around the management of the construction site.

#### ***Deliveries and servicing***

- 17.30 The proposed development is projected to generate 10 daily servicing trips. Servicing and refuse collection will take place from the kerbside on Malden Road, in line with the existing situation for neighbouring properties. A delivery and servicing management plan is not required for this scale of development.

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

- 17.31 The applicant would be financially responsible for any works relating to changes or repairs to the highway. This concerns the request for the removal of the existing crossovers on Malden Road and Wellesley Place, which will be retained until completion. The Council therefore seeks to secure a highways contribution to make any changes or repairs to the public highway

in the direct vicinity of the development. This would be secured by Section 106 legal agreement.

- 17.32 It is expected that significant damage to the public highway is unlikely to be caused during demolition and construction; however, a highways contribution of £30,000 be secured as a bond by legal agreement which will cover any damage and the removal of the crossover and reinstatement of the public highway

### ***Transport conclusion***

- 17.33 The proposal is acceptable in terms of transport implications subject to the following conditions and planning obligations being secured by legal agreement:

- Car-free development.
- Off-site contribution of £4,000 for a disabled parking space.
- Off-site contribution of XXXX for 3 x Sheffield stands on Malden Road
- Construction management plan (CMP), and CMP implementation support contribution of £10,116, and CMP Impact Bond of £16,000.
- Construction working group (CWG) consisting of representatives from the local community.
- Highway works bond of £30,000
- Pedestrian, Cycling and Environmental Improvements (PCE) contribution £40,000.

## **18. PUBLIC OPEN SPACE**

- 18.1 CLP policy A2 seeks to secure publicly accessible open space as part of a scheme to address the impact of schemes on the demand for public open space. This takes account of the scale of the proposal, the number of future occupants and the land uses involved.

- 18.2 The Public Open Space CPG states that developments with 11 or more dwellings should provide 9sqm of Public Open Space (POS) for every occupant. With 15 new homes, this development triggers the requirement. The CPG also expects new commercial floorspace over 1,000sqm to provide 0.74sqm of POS for every worker, but this requirement is not triggered with the development's commercial uplift of less than 1,000sqm.

- 18.3 The residential requirement for the POS is 9sqm x 15 (the number of additional dwellings) x 2.28 (the average dwelling occupancy for Gospel Oak ward) = **307.8sqm**.

- 18.4 Although the proposal has a range of private and communal roof terraces for the occupiers, the scheme would provide no publicly accessible space, so it cannot count towards the POS provision. With a site area of around 700sqm, providing POS on this site would leave almost half the site undeveloped. This

would not be an efficient use of land and would leave a hole in the townscape. There are also limited options for off-site provision within a reasonable distance, and the nearby Gospel Oak open space is more likely to be used by the occupants.

- 18.5 Gospel Open Space would have sufficient capacity to accommodate the additional users likely to be generated through the proposed development (estimated to be approximately 30 persons).
- 18.6 Notwithstanding the constraints in providing an on-site POS provision, it would be appropriate to seek a contribution for public open space. Where it is not feasible to deliver the full amount of public open space required, the CPG accepts a financial payment in lieu (PIL). The PIL is used for provision, maintenance, and improvement of open space.
- 18.7 The PIL is made up of a capital costs contribution (£61,560, which is calculated at a rate of £200/sqm), and a maintenance costs contribution which covers 10years (£21,546, which is calculated at a rate of £70/sqm). Therefore, the total POS contribution is £83,106. While a Capital Investment would normally be sought for this type of development, given the proximity of the site to Gospel Oak Space which would provide suitable open space provision for residents of the development, the provision of an on-site residents garden and quality private amenity spaces, and other contributions to public improvement works to be brought about by the scheme (namely the Pedestrian, cycling and environmental improvements), securing a maintenance costs contribution only (and no capital costs contribution) is considered appropriate.
- 18.8 **The Public Open Space PIL of £21,546 would be secured by s106 agreement**, in accordance with CLP policy C2.

## **19. EMPLOYMENT AND TRAINING OPPORTUNITIES**

- 19.1 The proposed development would generate increased employment opportunities during construction and operational phases. To ensure local people benefit from these opportunities in line with CLP policy E1, the following obligations have been negotiated and will be secured by Section 106 agreement.

### ***During construction***

- 19.2 Apprenticeships - the applicant will be expected to recruit a construction apprentice, paid at least London Living Wage, for every £3million of build costs with a support fee of £1,700 per apprentice as per section 63 of the Employment sites and business premises CPG. Recruitment of construction apprentices should be conducted through the Council's Euston Skills Centre (moved to a new location hence a new name). With an estimated build cost

of £4 million, this would be 1 construction apprentices and a £1,700 support fee.

19.3 Construction Work Experience Placements – While Work Experience Placements are not applicable for this scheme, the applicant has offered to secure one work experience placement student for a period of two weeks during the construction period, recruited through Council’s Euston Skills Centre.

19.4 Local Recruitment - the applicant will work with the Euston Skills Centre to recruit to vacancies, targeting 20% local recruitment, advertising with Camden for no less than a week before the roles are advertised more widely.

19.5 Local Procurement - the applicant will also sign up to the Camden Local Procurement Code, as per section 61 of the Employment sites and business premises CPG. This sets a target of 10% of the total value of the construction contract, which aligns with the applicant’s Employment and Training Strategy and its focus on the local area.

#### ***Post construction***

19.6 There are no end use obligations considered necessary for this scheme, given the limited size of the proposed office space (184sqm).

19.7 Notwithstanding, the developer is encouraged to join the Council’s Inclusive Business Network and promoting this and good employment practice to occupiers.

19.8 Additionally, as the applicant has noted the office space is likely to be used by an SME or start up in the creative field, the future occupier could work with Camden Apprenticeships or Good Work Camden to provide an apprenticeship and work experience opportunity

## **20. FIRE SAFETY**

20.1 Policy D12 of the London Plan also requires the application to be accompanied by a fire statement, prepared by a suitably qualified third-party assessor. London Plan Policy D5 seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users.

20.2 The proposed building is under 18m in height to the top floor level (at approximately 13.2m) and so there is no requirement for a second stair core under Building Regulations.

20.3 A Fire Statement has been submitted by an assessor with suitable qualifications. It covers the relevant Building Regulations requirements and provides information on how the proposal will comply. With regards to means of escape for disabled persons, an evacuation lift is to be provided at the circulation core. Refuge points for disabled occupants will be provided at in



the common residential areas, namely the waiting area adjacent to the evacuation lift, in support of the evacuation strategy, and provided with emergency voice communication panel. The commercial office area will be a separated demise that operates on a simultaneous evacuation strategy, independent of the wider residential areas of the building.

20.4 The access to the buildings on the site would be directly off Malden Road for fire vehicles. To support firefighting access, a dry riser will be provided within the residential common stair. The dry riser inlet is to be located no greater than 18 m from a fire appliance hardstanding location to meet the expectations of Section 50.1.3 in BS 9991.

20.5 Subject to compliance with the Fire Statement, the scheme complies with the development plan.

## 21. REFUSE AND RECYCLING

21.1 Policy CC5 and CPG Design are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments.

21.2 The proposal includes separate bin stores for each use, with residential bin storage off the common access to the site (main access from the common access and collection access from Malden Road) and a separate reuse storage room provided in the ancillary building to the rear of the site. A separate bin store for the office is located to directly adjoin the office and accessed from Malden Road.

21.3 On collection days, the refuse will be collected from the stores directly from Malden Road. The bin stores are a sufficient size to accommodate the bin capacity required, with further details secured by condition.

## 22. FINANCIAL CONTRIBUTIONS

22.1 The following contributions are required to mitigate the impact of the development upon the local area, including on local services. These heads of terms would mitigate any impact of the proposal on the infrastructure of the area.

Contribution	Amount
CMP Implementation Support Contribution	£10,116
CMP Impact Bond	£16,000
Highways contribution	£30,000
Disabled parking space contribution	£4,000

Pedestrian, Cycling, Environmental and Public Realm Improvements contribution	£40,000
Public open space contribution	£21,546
Energy Carbon Offset	£10,260
Apprentice support fee	£1,700
<b>Total</b>	<b>£133,622</b>

## 23. COMMUNITY INFRASTRUCTURE LEVY (CIL)

23.1 The CIL applies to all proposals which add 100m<sup>2</sup> of new floorspace or an extra dwelling. The amount to pay is the increase in floorspace (m<sup>2</sup>) multiplied by the rate in the CIL charging schedule. The final CIL liability will be determined by the CIL team.

23.2 The proposal will be liable for the Mayor of London's Community Infrastructure Levy (MCIL2) with an estimated liability of £31,920.

23.3 The proposal will also be liable for the Camden Community Infrastructure Levy (CIL). The site lies in Zone B (Rest of Camden) where CIL is calculated using rates based on the relevant proposed uses. The estimated Camden CIL liability is £113,688.

23.4 The final CIL liability will be determined by the CIL team.

## 24. CONCLUSION

24.1 The scheme is a positive development of an underused site, providing much needed homes, as well as secondary commercial use, overall providing a comprehensive mixed-use scheme which would comfortably integrate within the and contribute to the vitality of the immediate local centre. The building would repair the townscape with a well-designed building that activates the spaces around it. It would be a highly sustainable development with low embodied carbon and low operational energy use.

### ***Public benefits***

24.2 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 any harm.

- Fifteen new homes, including three affordable homes (SAR).
- Overall improvement to the townscape and street scene
- Support for the surrounding retail/commercial uses with an active ground floor providing residential and commercial uses
- Supporting sustainable modes of transport through car free development
- Significantly exceeding energy and carbon reduction targets through a highly sustainable development

- Providing urban greening at roof level to provide biodiversity and ecology benefits on an urban site
- Investment in the Camden economy through local procurement during construction
- Opportunities for local people to undertake apprenticeships and work placements through an employment and training package
- Significant contributions towards the provision of local infrastructure and facilities through CIL and other financial contributions

## **25. RECOMMENDATION**

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

- Affordable housing – flats 1-3 secured as Social Affordable Rented
- Construction management plan (CMP)
- CMP implementation support contribution of £10,116
- CMP impact bond of £16,000
- Construction Working Group (CWG)
- Highways bond of £30,000
- Disabled parking space contribution of £4,000
- Pedestrian, Cycling, Environmental and Public Realm Improvements contribution of £40,000
- Public open space contribution of £21,546
- Car free
- Energy Carbon Offset of £10,260
- Energy and sustainability plans
- Habitat Management and Monitoring Plan (monitoring fees TBC)
- 1 x Construction apprenticeships through the Euston Skills Centre
- Apprentice support fee of £1,700
- 1 x Construction Work Experience Placement through the Euston Skills Centre

## **26. LEGAL COMMENTS**

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

## 27. CONDITIONS

### ***Standard conditions***

#### **1 Time limit**

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

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

#### **2 Approved drawings**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Existing Drawings:

0-00; 0-51; 1-50; 1-51; 3-51; 4-51

Proposed Drawings:

1-00, rev 1; 1-01, rev 1; 1-02, rev 1; 1-03, rev 1; 1-04, rev 1; 3-01, rev 1; 4-01, rev 1; 4-05, rev 1; GUA-DR-L-005, rev 5 (Urban Greening Factor Plan); GUA-DR-L-006, rev P06 (Illustrative Landscape Masterplan); TPP/160MRL/010 A (Tree Protection Plan)

Documents:

Cover letter prepared by Grade Planning, 25/03/2024; Acoustic Report prepared by Love Design Studio, ref. PR455\_V2, March 2024; Air Quality Assessment prepared by Love Design Studio, ref. PR455\_V2, March 2024; Arboricultural Report prepared by David Clarke Chartered Landscape Architect and Consultant Arboriculturist Limited, March 2022; Desk Study / Preliminary Risk Assessment Report prepared by Jomas Associates Ltd., ref. P4556J2615/TE, 18/08/2022; Daylight and Sunlight Study prepared by Love Design Studio, ref. PR455\_V2, March 2024; Crime Impact Assessment prepared by Grade Planning, March 2024; Employment and Training Strategy prepared by Grade Planning, March 2024; Energy and Sustainability Statement prepared by Love Design Studio, ref. PR455\_V3, March 2024; Flood Risk Assessment and SUDS Report prepared by EAS Transport Planning Ltd, ref. 3779/2022, rev D, June 2024; Fire Statement prepared by MU Studio, 27/02/2024; Planning Statement prepared by Grade Planning, March 2024; Design and Access Statement prepared by , rev 1.0; 04/03/2024; Transport Statement prepared by Lime Transport, ref. 22033 d1b, 04/03/2024; Employment Viability Report prepared by Grade Planning, January 2024; Biodiversity Net Gain Report prepared by The Ecology Partnership, May 2024; Draft Waste Management Strategy prepared by Grade Planning, June 2024; Area Schedule; Whole Life Cycle Carbon Assessment prepared by Love Design Studio, July 2024;

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

### ***Pre-start conditions (any works)***

#### **3 Land contamination**

Part A:

No development shall commence until a site investigation is undertaken and the findings are submitted to and approved in writing by the local planning authority.

The site investigation should assess all potential risks identified by the desktop study and should include a generic quantitative risk assessment and a revised conceptual site model. The assessment must encompass an assessment of risks posed by radon and by ground gas. All works must be carried out in compliance with LCRM (updated 2021) and by a competent person.

**Part B:**

No development shall commence until a remediation method statement (RMS) is submitted to and approved in writing by the local planning authority. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved quantitative risk assessment. This document should include a strategy for dealing with previously undiscovered contamination. All works must be carried out in compliance with LCRM (updated 2021) and by a competent person.

**Part C:**

Following the completion of any remediation, a verification report demonstrating that the remediation as outlined in the RMS have been completed should be submitted to, and approved in writing, by the local planning authority. This report shall include (but may not be limited to): details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil and waste management documentation. All works must be carried out in compliance with LCRM (updated 2021) and by a competent person.

Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

#### **4 Air Quality Monitoring**

No demolition or development shall commence until all the following have been complied with:

- a) prior to installing monitors, full details of the air quality monitors have been submitted to and approved in writing by the local planning authority. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they will be installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance;
- b) A confirmation email should be sent to [airquality@camden.gov.uk](mailto:airquality@camden.gov.uk) no later than one day after the monitors have been installed with photographic evidence in line with the approved details; and
- c) Prior to commencement, a baseline monitoring report including evidence that the monitors have been in place and recording valid air quality data for at least 3 months prior to the proposed implementation date shall be submitted to the Local Planning Authority and approved in writing.

The monitors shall be retained and maintained on site in the locations agreed with the local planning authority for the duration of the development works, monthly summary reports and automatic notification of any exceedances provided in accordance with the details thus approved. Any changes to the monitoring

arrangements must be submitted to the Local Planning Authority and approved in writing.

Reason: Development must not commence before this condition is discharged to manage and mitigate the impact of the development on the air quality and dust emissions in the area, and London as a whole, and to avoid irreversible and unacceptable damage to the environment, in accordance with policies A1, A4 and CC4 of the Camden Local Plan 2017 and policy SI1 of the London Plan.

## **5 Pre-demolition Audit**

Prior to the commencement of works on site, a resource management plan shall be submitted including a pre-demolition audit, demonstrating how best endeavours are made to reuse/recycle/recover construction and demolition waste, and use excavation waste used for beneficial purposes. The plan shall be thereafter be delivered in accordance with the approved details.

Reason: To ensure all development optimise resource efficiency in accordance with policy CC1 of the London Borough of Camden Local Plan Policies and to reduce waste and support the circular economy in accordance with policy SI 7 of the London Plan 2021.

## **6 Tree protection measures**

Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the document entitled "Arboricultural Impact Assessment and Arboricultural Method Statement" dated March 2022 and tree protection plan ref. TTP/160MRL 010 A dated March 2022 by David Clarke Chartered Landscape and Consultant Arboriculturalist Limited dated March 2024 ref. 0403Rrv2. 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 Appendix 3 of the approved report.

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 Camden Local Plan.

### ***Pre-start conditions (other than demolition or site clearance)***

## **7 Detailed design drawings and samples**

Notwithstanding the details shown on the approved plans, prior to commencement of works (other than demolition and site clearance), 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 before the relevant part of the work is begun:

- a) Detailed drawings including plans, coloured elevations and sections of all windows (including jambs, head and cill), external doors, screening, balconies, balustrades, parapets, planters and associated elements at a scale of 1:20;
- b) Plan, coloured elevation and section drawings of the new shopfronts at a scale of 1:20;
- c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site). Sample bay panel of materials to be provided at a suitable size (provided on

- site / at agreed location for review) to include typical window with all neighbouring materials and details; and
- d) Typical details of railings and balustrades at a scale of 1:20, including method of fixing.
  - e) Details of integrated bird and bat boxes, and insect habitats.

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.

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

## **8 Landscaping**

Notwithstanding the details shown on the approved plans, prior to commencement of works (other than demolition and site clearance), no development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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 with the requirements of policies A2, A3, A5, D1 of the London Borough of Camden Local Plan 2017.

## **9 Waste management plan**

Notwithstanding the details shown on the approved plans, prior to commencement of works (other than demolition and site clearance), no development shall take place until a Waste Management Plan has been submitted to and approved by the local planning authority in writing. Site waste shall be stored and managed strictly in accordance with the details set out in the approved Waste Management Plan.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of Camden Local Plan policy CC5. Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policies A1 and CC5 of the Camden Local Plan 2017.

## **10 Separation of noise sensitive rooms in neighbouring units**

Prior to commencement of works (other than demolition and site clearance), details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value, for the floor/ceiling /wall structures separating different types of rooms/ uses in adjoining dwellings. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

**Reason:** To ensure that the amenities of future occupiers are protected in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

**11 Separation of office space and noise sensitive premises**

Prior to commencement of works (other than demolition and site clearance), details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial part of the premises from dwellings. Details shall demonstrate that the sound insulation value  $D_{nT,w}$  [and  $L'_{nT,w}$ ] is enhanced by at least 10dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the criteria of BS 8233 Guidance on sound insulation and noise reduction for buildings within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

**Reason:** To ensure that the amenities of future occupiers are protected in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

**12 SuDS - Further details**

Prior to commencement of any development (other than demolition and site clearance), full details of the sustainable drainage system including 46m<sup>2</sup> pervious paving, 22m<sup>3</sup> attenuation tank and 356m<sup>2</sup> green roof, shall be submitted to and approved in writing by the local planning authority. Such a system should be designed 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 shall demonstrate the run off rate of 2.7l/s approved by the Local Planning Authority. A revised drainage statement, SuDS pro-forma and supporting evidence should be included with the following information:

- The proposed SuDS or drainage measures including storage capacities
- The proposed surface water discharge rates or volumes
- The existing surface water discharge rates and volumes
- Confirmation of sufficient sewer capacity from Thames Water Details shall include a lifetime maintenance plan, and systems shall thereafter be retained and maintained in accordance with the approved details.

**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 CC2 and CC3 of the London Borough of Camden Local Plan.

***Prior to above ground works***

**13 Details of green or living roof**

Prior to commencement of above ground works, full details of the living roofs in the areas indicated on the approved roof plan shall be submitted to and approved in writing by the local planning authority. The details shall include:

- a) a detailed scheme of maintenance
- b) sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- c) full details of planting species and density.



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.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, CC4, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

**14 Details of photovoltaic cells**

Prior to commencement of above ground works, drawings and data sheets showing the location, extent (54 panels) and predicted energy generation of photovoltaic cells (at least 14.4kWp) and associated equipment to be installed on the building shall have been 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. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017.

**15 Details of air source heat pumps**

Prior to commencement of above ground works, details, drawings and data sheets showing the location, Seasonal Performance Factor of at least 2.5 (or COP of 4 or more or SCOP of 3.4 or more) and Be Green stage carbon saving of the air source heat pumps and associated equipment to be installed on the building, shall have been 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. A site-specific lifetime maintenance schedule for each system, including safe access arrangements, shall be provided. The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.

**16 Flood Risk Emergency Plan**

Prior to the commencement of above ground works, a Flood Risk Emergency Plan should be prepared in accordance with the aims and objectives of the ADEPT/Environment Agency Flood Risk Emergency Plans for New Development guidance and submitted to the Local Planning Authority and approved in writing.

Reason: To protect the occupants in the event of a flood in accordance with policy CC3 of the London Borough of Camden Local Plan 2017.

## ***Prior to occupation or use***

### **17 Waste and refuse storage**

Prior to the occupation of the development, the refuse and recycling facility as approved shall be provided and permanently retained thereafter.

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 and A4 of the London Borough of Camden Local Plan 2017.

### **18 Whole Life Carbon – post construction assessment**

Prior to the occupation of the development the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance. The post-construction assessment should be submitted to [ZeroCarbonPlanning@london.gov.uk](mailto:ZeroCarbonPlanning@london.gov.uk) and [SustainabilityPlanning@camden.gov.uk](mailto:SustainabilityPlanning@camden.gov.uk), along with any supporting evidence as per the guidance.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings in accordance with Camden Local Plan policies CC1, CC2, CC3, and CC4, and London Plan policies, SI1, SI2, SI3, SI4, SI5 and SI7.

### **19 SuDS - Evidence of installation**

Prior to occupation of the development, evidence that the SUDS system has been implemented in accordance with the approved details as part of the development shall be submitted to the Local Planning Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan. 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 CC2 and CC3 of the London Borough of Camden Local Plan Policies

### **20 Anti-vibration isolators for plant**

Prior to occupation of the development, 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.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

### **21 Long-stay cycle parking**

Prior to occupation of the development, the approved long-stay cycle parking facility comprising a cycle storage room with two tier racks for 28 x bicycles and space for 2 x larger cycles, and a dedicated space at the entrance of the office floor plate for 2 x bicycles, shall be provided as shown on the approved Proposed Ground Floor Plan as referenced in condition 2 of the permission, and shall thereafter be permanently retained as such.

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.

**22 ASHPs – Active cooling (Residential)**

Prior to first use of the air source heat pumps hereby approved to serve the residential dwellings only, the active cooling function shall be disabled on the factory setting and the air source heat pumps shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC2 of the London Borough of Camden Local Plan 2017.

***Compliance conditions***

**23 Noise insulation for new residential**

The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason: To ensure that the amenities of future occupiers are protected in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

**24 Non-road mobile machinery (NRMM)**

No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of Camden Local Plan policies A1 and CC4.

**25 Noise limits for plant**

The external noise level emitted from plant, machinery or equipment at the development, with any specified noise mitigation 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 or most affected noise sensitive premises, with machinery operating at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the site and surrounding properties is not adversely affected by noise from mechanical installations and equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

**26 Vibration**

No vibration shall be transmitted to any part of the building structure and fabric of this development as to cause a vibration dose value of greater than  $0.4\text{m/s}^{(1.75)}$  16 hour day-time nor  $0.26\text{m/s}^{(1.75)}$  8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason: To ensure that the amenities of future occupiers are protected in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

**27 Controlling use – residential only for permanent accommodation**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020, or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification), the residential flats hereby permitted shall only be used for permanent residential accommodation, and not for temporary sleeping accommodation (tenancies of fewer than 90 days) or for any other purposes whatsoever.

Reason: To protect the permanent residential accommodation in the borough in accordance with Policies H1 and H3 of the London Borough of Camden Local Plan 2017.

**28 No additional external fixtures**

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent or superseding orders, 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 building, without the prior approval in writing of the local planning authority.

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

**29 Roof terraces**

No flat roofs within the development shall be used as terraces/amenity spaces unless marked as such on the approved plans, without the prior approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the Camden Local Plan.

**30 Sustainable drainage system**

The sustainable drainage system as approved (Flood Risk Assessment and SuDS Report dated June 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 2.7l/s discharge rate for 1 in 100 year event plus 40% for climate change. The system shall include 46m<sup>2</sup> pervious paving, 22m<sup>3</sup> attenuation tank and 356m<sup>2</sup> green roof, as stated in the approved drawings and shall thereafter retained and maintained in accordance with the approved maintenance plan.

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 CC2 and CC3 of the London Borough of Camden Local Plan 2017 and Policy SI 13 of the London Plan 2021

**31 Implementation of landscaping**

All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. 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, unless the local planning authority gives written consent to any variation.

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 of the London Borough of Camden Local Plan 2017.

***Building regulations (imposed optional requirements)***

**32 Wheelchair and accessible homes (building control optional requirements)**

Unit 1, as indicated on the plan number/s hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (3) (2b).

Unit 2, as indicated on plan number/s hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (3)(2a).

All other dwellings hereby permitted shall be constructed to comply with Part M4(2) of the Building Regulations.

Reason: To secure appropriate access for disabled people, older people, and others with mobility constraints, in accordance with policies H6 and C6 of the Camden Local Plan 2017.

**33 Water use (building control optional requirements)**

The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, with an additional 5 litres/person/day for external water use.

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

**28. INFORMATIVES**

1	Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
2	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

	<p>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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
3	<p>This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at <a href="http://www.camden.gov.uk/cil">www.camden.gov.uk/cil</a> for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.</p>
4	<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://www.camden.gov.uk/about-construction-managementplans">https://www.camden.gov.uk/about-construction-managementplans</a> 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 should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.</p>
5	<p>This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, tree protection, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from TfL (on Finchley Road) and/or the Council's Streetworks Authorisations &amp; Compliance Team, 5 Pancras Square (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. No licence or authorisation will be granted until the Construction Management Plan is approved by the Council.</p>
6	<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>
7	<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) 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</p>

	<p>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>
8	<p>This permission is granted without prejudice to the need to obtain consent for any adverts, under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.</p>
9	<p>Note 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 Team, 5 Pancras Square, London, N1C 4AG (Tel. No. 020 7974 4444) or by email to: <a href="mailto:planningobligations@camden.gov.uk">planningobligations@camden.gov.uk</a></p>
10	<p>You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a breach of condition and would require a further grant of planning permission.</p>
11	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
12	<p>If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at <a href="http://www.thameswater.co.uk/buildingwater">www.thameswater.co.uk/buildingwater</a></p>
13	<p>Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to their website: <a href="http://www.thameswater.co.uk/developers/largerscale-developments/planning-your-development/working-near-our-pipes">www.thameswater.co.uk/developers/largerscale-developments/planning-your-development/working-near-our-pipes</a></p>
14	<p>Non-road mobile machinery (NRMM) is any mobile machine or vehicle that is not solely intended for carrying passengers or goods on the road. The Emissions requirements are only applicable to NRMM that is powered by diesel, including diesel hybrids. For information on the NRMM Low Emission Zone requirements and to register NRMM, please visit "<a href="http://nrmm.london/">http://nrmm.london/</a>".</p>
15	<p>The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:</p>

	<p>(a) a Biodiversity Gain Plan has been submitted to the planning authority, and b) the planning authority has approved the plan.</p> <p>The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below.</p> <p>Based on the information available, this permission <b>WILL</b> require approval of a BGP before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.</p>
16	<p>Biodiversity Net Gain (BNG) Informative (1/2): The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 (“1990 Act”) is that planning permission granted in England is subject to the condition (“the biodiversity gain condition”) that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.</p> <p>The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.</p> <p>There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.</p> <p>Based on the information provided, this permission WILL require approval of a BGP before development is begun because none of the statutory exemptions or transitional arrangements summarised below are considered to apply.</p> <p>++ Summary of transitional arrangements and exemptions for biodiversity gain condition The following are provided for information and may not apply to this permission:</p> <ol style="list-style-type: none"> <li>1. The planning application was made before 12 February 2024.</li> <li>2. The planning permission is retrospective.</li> <li>3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.</li> <li>4. The permission is exempt because of one or more of the reasons below: <ul style="list-style-type: none"> <li>- It is not “major development” and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.</li> <li>- It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).</li> <li>- The application is a Householder Application.</li> <li>- It is for development of a “Biodiversity Gain Site”.</li> </ul> </li> </ol>



	<ul style="list-style-type: none"> <li>- It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).</li> <li>- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).</li> </ul>
17	<p>Biodiversity Net Gain (BNG) Informative (2/2):</p> <p>+ Irreplaceable habitat:</p> <p>If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.</p> <p>++ The effect of section 73(2D) of the Town and Country Planning Act 1990</p> <p>If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission (“the earlier BGP”), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.</p> <p>++ Phased development</p> <p>In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.</p>