

<b>Address:</b>	<b>Maiden Lane Estate Maiden Lane London</b>	
<b>Application Number:</b>	2012/5552/P	<b>Officer: Neil McDonald</b>
<b>Ward:</b>	Cantelowes	
<b>Date Received:</b>	<b>12/10/2012</b>	
<p><b>Proposal: Redevelopment of eastern part of Maiden Lane Estate following the demolition of Nos 1-55 and 2-16 Maiden Lane (Class C3 residential use) and the North Western Industrial Estate (Classes B1c/B8) to provide 10 new blocks including a 20 storey residential tower and 9 mixed use blocks of 3-7 storeys incorporating 265 units of class C3 residential (141 market / 71 social rented / 53 intermediate flats), mixed employment/retail/food and drink/community uses at ground floor level (classes B1/A1/A3/A4/D1) and a new energy centre, together with cycle parking and increased and improved areas of public realm and landscaping.</b></p>		

**Drawing Numbers:**

Site location plan AA1692-2-3-1001; Layout Plans (prefix AA1692-2-1-)1001, 1020 - 1027, 1029 – 1031; Plans and Elevations (prefix AA1692-2-1-)1100, 1102 Rev A, 1103 Rev A, 1104 – 1109, 1120 – 1129, 1140 – 1143; Site Sections (prefix AA1692-2-1-)1009 – 1019; Street Views (prefix AA1692-2-3-)1010 – 1013; Unit Layouts (prefix AA1692-2-3-)1201 – 1219, 1221 – 1223, 1230 – 1237.

Landscape Plans (prefix AL1692-2-1-)4200, 4204, 4205, 4207, 4208, 4209, 4211, 4217, 4218, 4300 – 4305.

Survey drawings: garages drwg x 1 Rev A; Estate drwg x 1 Rev B; Site drwgs x 4 Rev B; Elevations (buildings 1-6) drwgs x 3.

Design and Access Statement dated Oct 2012; Planning Statement by CBRE dated Oct 2012 (including Lifetime Homes Assessment by PRP); Employment Report (including Camden Employment Sectors by CBRE dated Oct 2012, Maiden Lane Estate Regeneration Commercial Space Options Appraisal by Renaisi dated Sept 2012); Transport Statement by Alan Baxter dated Oct 2012; Sustainability Statement by PRP (including Sustainability dated 04/10/12; Energy Strategy dated 04/10/12, Daylight and Sunlight Assessment dated 13/09/12, Wind Analysis dated 28/09/12, Code for Sustainable Homes dated 04/10/12); Environmental Technical Studies (including Noise and Vibration by Entran dated 05/10/12, Ground Investigation by RSA Geotechnics dated 03/11/11, Flood Risk by RMA dated 08/10/12, Ecological Survey by Greengage dated Aug 2012, Arboricultural Survey and Arboricultural Implications Assessment by Thompson Ecology dated March 2012, BREEAM Assessment by BRE Global dated 23/08/12, Building Regs Part L Certification Documents dated 03/10/12, Explosive Ordnance by BACTEC dated 07/02/2012); Application forms and Accommodation schedule; Statement of Community Involvement; Public Realm Strategy second draft 10 Oct 2012 (indicative only).

Amended residential accommodation schedule dated 16/01/2013; Amended open space measurement –drawings (prefix AL1692-2-1-)SK004 rev B, SK006 rev C, SK007 rev B; CHP duct routes plan LME53902\_M\_903 rev B; Revised Air Quality Assessment by Entran dated 18/01/2013; Letter from Spectrum Acoustic Consultants dated 18/01/13.

**RECOMMENDATION SUMMARY: Grant Council own development subject to a shadow S106 legal agreement and any direction by the Mayor of London.**

<b>Applicant:</b>	<b>Agent:</b>
Robert Pert London Borough of Camden Argyle Street London WC1H 8NJ	CBRE Ltd Henrietta House 8 Henrietta Place London W1G 0NB

**ANALYSIS INFORMATION**

<b>Land Use Details:</b>			
	Use Class	Use Description	Floorspace (GEA)

Existing	<i>B1c/B8 Light industrial/storage</i> <i>C3 Dwelling House (mainly social rented)</i>	1,509 m <sup>2</sup> 1,700 m <sup>2</sup>
Proposed	<i>B1 Business</i> <i>Flexible commercial uses in either B1 (Business), A1 (Retail), A3 (Restaurants and cafes), A4 (Drinking Establishments) or D1 (Non-Residential Institution) use classes</i>	Minimum 587 m <sup>2</sup>  653 m <sup>2</sup>
	<i>C3 Dwelling House (private)</i>	12,799 m <sup>2</sup> (48%)
	<i>C3 Dwelling House (intermediate)</i>	5,504 m <sup>2</sup> (21%)
	<i>C3 Dwelling House (social rented)</i> <i>(C3 TOTAL)</i>	8,414 m <sup>2</sup> (31%) (26,717 m <sup>2</sup> )
	<i>TOTAL</i>	27,957 m <sup>2</sup>

Residential Use Details:									
	Residential Type	No. of Bedrooms per Unit							Sub Totals
		1	2	3	4	5	6	7+	
Existing	<i>Social rented</i>	36							36
Proposed	<i>Market</i>	56	80	5					141
	<i>Intermediate</i>	24	21	8					53
	<i>Social rented</i>	19	24	20	8				71

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	16	0
Proposed	0	6

## OFFICERS' REPORT

**Reason for Referral to Committee:** The proposal constitutes a 'major development' which involves the construction of more than 10 residential dwellings and more than 1000sqm of non-residential floorspace [Clause 3 (i)].

On account of the height of the development and the number of units proposed, the development is of a scale whereby it is referable to the Greater London Authority. The Mayor of London has the power under the Town and Country Planning (Mayor of London) Order 2008 to call in the application and act as the planning authority or direct the Council to refuse the application.

This application is the subject of a Planning Performance Agreement (PPA).

## 1. SITE

- 1.1 Maiden Lane Estate is a 1970's local authority-owned housing estate located immediately to the north of the Kings Cross Central development site. It currently comprises 479 homes and areas of open space within a total area of 5.54 hectares. The boundaries of the estate are marked by the railway tracks running north from St Pancras to the west, the London Overground railway to the south, York Way to the east and the rear of properties fronting St Pauls Mews, St Pauls Crescent and Agar Grove to the north.
- 1.2 The existing buildings on the estate range from between two to four storeys organised as a regimented series of west facing blocks. These comprise family houses with a taller terrace of flats between every second terrace of houses that continue with an arm at right angles to the south. Under the flats is car parking. To the south-east corner, and built as part of the estate development, is an industrial area comprising 12 units which were formerly used by a mix of B1c and B8 occupiers but are now vacant.
- 1.3 Levels across the site fall from west to east and north to south affording ground level access to at least one side of every block. There are a number of open amenity spaces forming part of the estate including 2 childrens' play areas, a multi-use games area (MUGA), a large open area of informal green space, and along the southern perimeter a semi-natural strip part of which has become used for community gardening projects by residents.
- 1.4 Also included within the estate are a number of community services including a community centre and local housing office. The estate continues to provide good standards of accommodation for its residents and is generally well regarded, although has a backlog of repairs and is in need of investment.
- 1.5 The Maiden Lane estate was built in two phases, the initial phase to the west being built to a design by Gordon Benson and Alan Forsyth as the last of three schemes of public housing designed by them while they were employed by LB Camden. Although not statutorily listed, Maiden Lane has now become recognised as an important and architecturally significant piece of public housing along with other Camden housing schemes of the period.
- 1.6 The part of the site which is the subject of this application comprises the eastern portion bounding York Way. Extending to 1.64 hectares the site includes the existing industrial zone (0.55 ha); the two existing residential blocks nos. 1-55 and 2-16 Maiden Lane; and the existing estate roads and public realm areas known as Maiden Lane, St Thomas Place, Broadfield Lane and Allensbury Place. The block at 1-22 Allensbury is included within the site red line boundary although will not itself part of the redevelopment proposals.
- 1.7 Beyond the site, the area is characterised by Victorian terraced development in the Camden Square Conservation Area which coincides with the northern boundary of the estate. To the west, on the farther side of the railway tracks, is the Agar Grove Estate. This dates from a similar period to Maiden Lane and includes a 18-storey residential tower as well as some lower four-storey blocks interspersed with open

space. To the south across the railway tracks is an industrial area including a transport depot and a cement batching plant with the Kings Cross Central development continuing further to the south. York Way to the east marks the borough boundary with Islington. The eastern side of this road is mainly industrial in character with typically 3-storey shed-like structures, one of which is occupied by the Egg Nightclub. The most notable building on this side of York Way is the 6-7 storey 'Fitzpatrick Building' built as offices for Mark Fitzpatrick Construction in 1991.

- 1.8 The site itself is not in any conservation area but its northern extremity on York Way bounds onto the Camden Square Conservation Area. In addition, the land directly abutting the site to the south between the site and the railway line is a locally designated site of nature conservation importance (SNCI).
- 1.9 The site is located within 12 minutes walk of Camden Road Rail Station to the west and Caledonian Road and Barnsbury Station to the east giving access to the London Overground. The 390 bus service runs past the site along York Way serving central London, while the 274 and 393 bus routes provide east-west links a short distance to the north. The public transport accessibility level of the site is PTAL2.

## **2. THE PROPOSAL**

### ***Background***

- 2.1 This estate regeneration scheme comes forward as part of an ongoing series of such projects to be delivered within the Council's Capital Investment Programme (CIP). It originally started life as part of the "*Investing in Camden's Homes*" 2007 strategy which set out the Council's plans to secure investment capital to deliver the Government's targets for decent (better) homes. This strategy now forms part of the wider Community Investment Programme which was launched in December 2010 and seeks to make best use of the Council's land and property to support investment and improvements to places and facilities across the borough.
- 2.2 The first discussions with Maiden Lane residents over options for redevelopment commenced in 2007 followed by a series of consultations and workshops from 2008 to present.
- 2.3 A paper presented to Cabinet in Dec 2010 discussed projects within the CIP generally. The project at Maiden Lane, for which consultation on various different options was by then well underway, was identified as part of the first phase of delivery along with development already underway at Holly Lodge and Chester Road/Balmore Street. The report (para 3.10) considered that the project, focussing on an industrial site to the east of the estate and the York Way street frontage, could contribute a further £12m for investment in repair and improvement work at Maiden Lane Estate.
- 2.4 In April 2011 Cabinet approved a preferred option for the Maiden Lane estate that involves developing the York Way frontage of the site including the existing industrial estate. An update report on CIP reported to Cabinet on 20 July 2011

(para 8.13) states in this regard:

*“A key outcome of this redevelopment will be access to high quality Council homes for new and existing Camden tenants and also a significant improvement to the public realm on York Way and the estate immediately behind the frontage. A detailed planning application is being developed over the next 6 months in consultation with local residents, the Cabinet Member for Housing, ward councillors and other stakeholders.”*

### ***The proposed scheme***

- 2.5 The application is for full planning permission and seeks the redevelopment of the eastern part of Agar Grove Estate focussing on the two existing residential blocks of nos. 1-55 and 2-16 Maiden Lane (1,312sqm GIA) and the existing industrial estate (1,423sqm GIA) which would be demolished.
- 2.6 The proposed redevelopment seeks to continue the existing estate and its rectilinear plan-form eastwards to York Way. Ten blocks are proposed (referred to as blocks A to H elsewhere in this report) arranged north-south with the first row (blocks D, E, H and I) fronting onto York Way and a further row behind on Broadfield Lane (blocks F and G). Blocks A, B and C form an arm at right angles in the form of an eastward extension to Allensbury Place to address the south facing aspect of the site; while block J is located towards the western end of Allensbury Place as an ‘infill’ between the existing estate blocks of 1-22 Allensbury to the east and the remainder of the estate to the west.
- 2.7 The proposed height of the development steps from 3, 5 and 6 storeys for blocks J, F, G, B and C respectively, to 5, 6 and 7 storeys on York Way for blocks I, H and D & E respectively. These York Way blocks form a gently sweep upwards until they culminate in the 20-storey block A which marks the south-east corner of the development.
- 2.8 In terms of proposed uses, Blocks A-C, F and G are wholly residential, while the remaining blocks which front York Way (blocks E, D, H and I) are of mixed use with flexible employment/retail/food and drink/community uses at ground floor level (classes B1/A1/A3/A4/D1). This ‘non-residential’ element comprises 1,181 sqm (GIA). The strategy for these non-residential uses is explained fully in the “Land Use” section of the Report Assessment below, however it is the intention that the ground floor of blocks D and E, in particular, be to provide for new economic activities in predominantly B1 use. Blocks H and I are designed to be more flexible to accommodate any of the range of permitted uses. These include the possibility of a new General Practitioners centre in block H to replace that which closed at 142 Camden Road in April 2012.
- 2.9 Block J, which was conceived as an ‘add-on’ to the originally envisaged scheme, accommodates the site’s energy centre at its ground floor level with residential above.
- 2.10 The proposed residential development totals 24,404 sqm (GIA) comprising 265 units. Of these, 141 units (11,741sqm) will be for private sale, 53 units (5,048sqm)

will be intermediate and 71 units (7,615 sqm) social rented. These would provide a unit mix of:

- 99 x 1-bed (2 person) units
- 50 x 2-bed (3 person) units
- 75 x 2-bed (4 person) units
- 5 x 3-bed (4 person) units
- 28 x 3-bed (5 person) units
- 8 x 4-bed (6 person) units

Save for 10 of the 3-bedroom 5 person units (proposed as intermediate), all of the larger 3 bedroom and 4 bedroom units would be in social rented tenure. The 5 x 3-bed (4-person) units were introduced as a revision to the application to ensure some provision for family-type accommodation in the market accommodation.

- 2.11 The distribution of tenure types across the site is such that the social rented is focused towards the north and western parts of the development (closest to the existing estate), while the market and intermediate tenures occupy the southern and eastern blocks including the 20-storey tower.
- 2.12 In addition to the new blocks the scheme proposes new and enhanced public realm including the remodelling of St Thomas Place to provide a more useable level seating area and open space. The remodelling also provides for a new children's play area. The existing Allensbury Place paved open space would also be remodelled to provide a more green and landscaped "sitting-out" and play area to provide a setting for proposed block J as well as improve the amenity of this part of the estate for existing residents. An improved streetscape would be provided to both facilitate vehicular access in the form of a new one-way system and provide better, more visually legible access from York Way. The latter includes a new southern entrance to the estate linking York Way with Allensbury Place.
- 2.13 In terms of design, the overall approach is to continue the same basic structured forms of Benson and Forsyth's original work and thereby unite with the existing estate by use of a similar language. A strong structural grid with recessed balconies is a repeated feature throughout the proposed blocks and this is further reinforced through the simple pallet of white concrete for the frame and black infill to the open areas.
- 2.14 As well as unifying with the existing estate architecturally the proposals also seek to rectify some of the design flaws of the original masterplan which have given rise to many existing problems. A key element of this is in the public realm proposals and the enhanced connections from York Way. The development proposals come at a time of major change in the area brought on by the close proximity of Kings Cross Central. A key objective of the proposal is that the increased permeability and raised profile of the estate will enable it to share fully in this regeneration and benefit the lives of existing residents while also helping to address the severe shortage of affordable homes in the Borough.

### ***Shadow Section 106 Agreement***

- 2.15 The council is the land owner and therefore planning conditions would be used instead of a s106 legal agreement to secure appropriate controls, mitigation and compensation measures for the scheme. In the event of the Council disposing of its interest in the land prior to implementation and/or occupation of the scheme it would be necessary to secure certain measures as part of a legal agreement. Therefore a **shadow S106 legal agreement** would be prepared in tandem with the decision notice which would secure certain conditions as heads of terms.

### ***EIA Screening***

- 2.16 The proposed development falls within Category 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 by virtue of the size of the site (an urban development project exceeding the relevant 0.5 ha threshold). This requires that an assessment in relation to Schedule 3 of the Regulations as to whether an Environmental Impact Assessment is necessary. A formal screening opinion on whether the proposals would require an EIA was requested at pre-application stage on 7<sup>th</sup> September 2011. It was concluded that a formal Environmental Impact Assessment was **not** required due to the following reasons:

- The use being predominantly residential would be in accordance with the existing character of the area generally.
- Whilst there is a loss of employment land the possible socio-economic impacts arising from this in itself would be limited and would be a matter to be addressed in the light of local planning policy.
- The development does have potential to cause pollution and nuisances arising from the construction process in the short term, and the effects of its tall building on local microclimate in the longer term. The potential impacts would affect environmentally sensitive spaces in the form of public open space and a Site of Nature Conservation Interest. However, whilst the impacts in these respects would clearly be a significant factor in the assessment of this proposal, the associated impacts on local views and open space are issues that may be commonly encountered in the normal application process. The site designated for its biodiversity value is noted as being of Borough significance rather than of any wider value, and the tall building would not affect any designated London Views.
- Therefore, neither the extent, nor severity of these impacts is likely to be such that could not be properly assessed with the aid of standalone reports and assessments accompanying the application.

### **Revisions**

- 2.17 The following revisions were received during the course of the application in response to officer advice:
- Introduction of 5 x 3-bed 4 person units for market sale in Block B through a reconfiguration of the internal space (as shown on revised plans 1102 Rev A, 1103 Rev A and 1237).

## **3. RELEVANT HISTORY**



## Application site

- 3.1 The site was used as railway sidings from the 1850's prior to which it was fields. In 1963 it became a freight terminal. In 1972 the site passed to Camden Council and work commenced on drawing up a masterplan for redevelopment of the site for housing purposes. It was at this time the site acquired the name 'Maiden Lane'.
- 3.2 In 1975 an application and masterplan was approved by Camden Council and referred to the Secretary of State for his decision. The proposals entailed a mix of uses including 500 dwellings, a hostel, day nursery, lock up workshops, 4 shops, artist studios, mentally infirm home and public amenity spaces. Islington Council made representations to the Secretary of State citing objection on the grounds that the proposals failed to reserve land for industrial purposes. This was made against the background of the 1970's oil crises and associated recession with central government policy seeking the inclusion of employment uses into all public proposals. As a result of Islington's intervention, Camden Council allocated 0.55 hectares adjacent to York Way for industrial use. The Secretary of State subsequently approved the scheme subject the condition that the industrial reservation be secured.
- 3.3 In 1983 planning permission (Ref: H13/12X/B/22443) was granted for what now comprises the industrial area of the Maiden Lane Estate. This comprised the last phase of development of the present estate.
- 3.4 In December 2009 English Heritage considered an application to list the Maiden Lane Estate for its architectural interest. It resolved not to do so for a number of reasons but principally as many of its principal characteristics feature in other housing estates designed by Camden Council's Architects' Department that are already listed, that the design was a modified version of another style (Le Corbusier), and that the estate had been compromised and never achieved its full potential.

## 4. CONSULTATIONS

### Statutory Consultees

- 4.1 Greater London Authority (GLA): Consider the application broadly acceptable in strategic policy terms, however certain matters (*shown in italics below*) require further discussion before it can be confirmed to comply with the London Plan. The stage 1 comments are summarised as follows:
  - **Land use principle**: the loss of the industrial site is supported given the poor quality of the current accommodation, the constraints to redeveloping the site for high quality replacement industrial accommodation and provision of facilities for small and medium sized enterprises such as managed, affordable floorspace. *However further information is required on the relocation of the current employment uses on the site.*
  - **Housing**: The level of affordable housing, tenure split, housing mix and residential quality is acceptable.

- **Density:** The density is above London Plan guidelines, however, given that the site is well connected despite its low PTAL, and given the high quality of the development and its context this is acceptable.
- **Child playspace:** The level of child playspace is acceptable.
- **Urban design:** The design concept of this high quality scheme is considered to respond well to its surrounding context and architecture of the original estate. The tall element is acceptable in the strategic context. The loss of existing trees is acceptable given their poor quality and level of replacement trees.
- **Inclusive design:** The provision of a signed level access through the scheme and existing estate is welcomed. The level of wheelchair accessible units complies with London Plan standards. *Further discussion is needed on the level of blue badge parking.*
- **Noise:** Given the site constraints some single aspect units in NEC C is on balance acceptable. The Council should ensure that suitable mitigation conditions are included.
- **Sustainable development:** The energy Strategy is in line with London Plan policy and CO2 savings exceed the 25% target. *The applicant should provide further details of the site heat network and confirm that all apartments and non-domestic uses will be connected to the site network. A drawing showing the route of the heat network linking all buildings on the site should be provided.* The provision of green/brown roofs is welcomed.
- **Biodiversity:** The loss of 1,462sqm of SNCI is acceptable in a strategic context, given the mitigation proposed. The Council should ensure this is acceptable locally.
- **Transport:** The application does not currently comply with the transport policies of the London Plan. *Contributions towards bus capacity enhancement, Legible London signage, cycle hire scheme and bus stop upgrades together with a travel plan, car club membership subsidy and car free agreement will all need to be included in the decision notice together with the DSP and CLP. Furthermore the applicant should confirm whether further accessible parking provision can be provided and also demonstrate compliance with EVCPs standards.*

#### 4.2 Transport for London (TfL):

- Draft London Plan Housing SPG, to be adopted shortly, recommends 1:1 accessible parking provision for wheelchair accessible units which would equate to minimum 20 required. Further discussion would be welcome as to how the 6 wheelchair spaces currently proposed can be increased on site.
- Electric Vehicle Charging Points (EVCPs) should be provided in line with London Plan minimum standards and monitoring put in place to determine use/demand
- 7 additional cycle parking spaces for visitors would be required to conform with the London Plan Early Alterations
- Trips generated are expected to create peak crowding on the route 390 bus. Mitigation is required by way of a contribution of £450,000. An audit of bus stop 'P' is required to be undertaken by the applicant to identify works required to bring it up to accessibility standards. Until this is carried out a capped contribution of £20,000 would be sought. Further discussion should take place to ensure the relocation of bus stop 'Q' is undertaken without detriment to bus operations and highway safety.

- TfL notes that it will not be seeking any contributions towards the reopening of a station to serve the London Overground at Maiden Lane because the constraints of the site are such that the feasibility of the scheme being delivered are low.
- Further discussion is required over the location, size and s106 contribution in regard to the intended 24 dock Mayor's Cycle Hire station.
- Legible London wayfinding contribution of £15,000 is required
- Delivery and Servicing Plan (DSP) required in order to identify efficiency and sustainability measures once the development is operational
- Construction and logistics Plan (CLP) required in order to minimise construction impacts on the highway network and transport system
- CIL is chargeable at £50 per sqm.

4.3 LB Islington – have been consulted but to date no representations have been received.

4.4 Environment Agency – no objection subject to a condition securing a surface water drainage scheme based on the submitted Flood Risk Assessment.

#### **Others**

4.5 Natural England – NE supports the provisions made within the Phase 1 habitat Survey. The site could benefit from enhanced green infrastructure (GI) provision, i.e. strategically planned network of high quality green spaces and environmental features to act as a multi-functional resource delivering environmental and quality of life benefits for local communities. Such enhancements could include green/brown roofs, landscaping using native species, nesting and roosting sites, sustainable urban drainage systems (SUDS). The proposed site is adjacent to a SNCI and the LPA should ensure it has sufficient information to fully understand the impact of the proposal on this wildlife site before determination of the application.

4.6 English Heritage GLAAS – The site is not considered to have any significant archaeological interest and therefore no investigations are required.

4.7 Crime Prevention Design Officer:

- A number of recesses exist in the proposals such as a first floor overhang to a flat and retail area with building supports in front reducing surveillance.
- The one way road route around the estate could be open to abuse, e.g. as a race track for mopeds
- There are open areas within the design which have little passive surveillance from or territoriality in connection with adjoining flats. E.g. There are gable ends in the design and although efforts have been made to provide surveillance with windows positioned to overlook, these areas may be subject to abuse.”

4.8 Network Rail – No objection. The proposal is at a distance not to affect NR's operations. The potential for any noise/vibration from the existing railway must be assessed bearing in mind that the current level of usage may be subject to change.

4.9 Thames Water – No objection but request various informatives in regard to good practice in managing surface and waste water drainage discharges and ensure

adequate steps to ensure appropriate measures for connections to the sewerage network are taken. Conditions should be imposed to require a water supply impact study and piling method statement.

- 4.10 Egg Nightclub – **Objects** due to the incompatibility of the proposed residential development with their existing nightclub operation opposite the site, which they feel would have negative implications for their continued operation. The Egg refer to a similar high profile instance of the Ministry of Sound nightclub which objected to a multi-storey residential development opposite its main entrance, which was ultimately refused by LB Southwark on grounds including noise impact. They find the applicant's submitted noise readings deficient in a number of respects; more particularly in that they inadequately take account of noise that would be generated on a peak night from the nightclub; also that the proposed mitigation relies largely on an assumption that residents will keep their windows and balcony doors shut for the 4 nights a week that the club is licensed to operate. They have commissioned their own noise consultants to carry readings which conflict those provided by the applicant and would place the site in PPS24 Category D for noise where permission should normally be refused. *[Officer comment: analysis and comparison of the Egg's and applicant's noise report and the opinion of the Council's Environmental Health Officer is set out in paras 6.47-6.57 of the report assessment below].*

#### **Local Groups and Representatives**

- 4.11 Cllr Maya De Souza: **Objects** to the loss of trees and green space involved in the proposals and the consequent loss of biodiversity this will entail.
- 4.12 Tony Canning of London Wildlife Trust (Camley Street Nature Reserve): Has commented on the range of species that have been observed visiting the site and notes that the area of "waste ground" between the industrial estate and the railway is the richest spot for insect and wildflower diversity in the estate area.
- 4.13 Maiden Lane Estate Tenants and Residents Association: **Object** to the application. Whilst there are some parts of the application that are supportable, the objectionable elements are over-riding, namely:
- The impacts from a 20 storey tower in terms of loss of sunlight, overlooking/lack of privacy, and unsympathetic with the architecture of the original estate
  - Noise, dust, toxic effects and disruption to traffic and pedestrians throughout the construction period
  - Loss of natural habitat including many mature trees
  - Strain on local services such as schools, surgeries, public transport and other community facilities which have already been impacted by austerity measures.
- If the development is to go ahead then it would only be fair that the existing Maiden Lane Estate be fully renovated using the proceeds from the development, and that this be carried out simultaneously with the new build development to prevent a stark and uninviting contrast deterring good integration of the new and old communities upon completion. This should be guaranteed in writing.
- 4.14 Camden Square CAAC – Were consulted but have not commented

## **Adjoining Occupiers**

<i>Number of letters sent</i>	752
<i>Total number of responses received</i>	35
<i>Number of electronic responses</i>	(10)
<i>Number in support</i>	2
<i>Number of comments</i>	0
<i>Number of objections</i>	33

- 4.15 Ten site notices were erected in and around the Estate and a press notice displayed in the Ham & High giving a 3 week period for representations until 14<sup>th</sup> November 2012 and 10<sup>th</sup> January 2012 respectively. Two further site notices were displayed on the opposite side of York Way in LB Islington giving until 23<sup>rd</sup> January for comments. Letters of notification were sent to Camden residents at 752 addresses neighbouring the site.
- 4.16 The applicant has also organised their own programme of consultation prior to the application being submitted. A Statement of Community Involvement has been submitted which details the various forms of consultation undertaken with estate residents commencing with the first discussions over options in 2007 through the series of consultations and workshops from 2008 to present. A Development Management Forum was also held in May 2012.

### **Objections**

- 4.17 Thirty-three letters of objection have been received, eleven from residents of Maiden Lane Estate itself living at Nos. 80, 115, 171 and 234 Maiden Lane; 8, 9 and 11 Rosebank Walk; 9 and 29 Broadfield Lane; 3 Linkwood Walk; and 23 Allensbury Place. A further twenty-one objections were received from residents of surrounding roads, namely Nos. 100, 120, 126, 136, 138, 144, 146 and 156 Agar Grove; 2, 11, 13, 18 and 22 St Pauls Mews; 15, 31 and 33 St Pauls Crescent; and 19 Marquis Road. There was also an objection from an address in Berwick-upon-Tweed. Objectors' concerns related to the following:
- Design and layout, height, bulk and massing of the proposal generally being out of scale with the existing and fails to respect the acknowledged architectural merit of the existing estate. (The provision of a tower has not been balanced by the lower buildings coming down sufficiently to meet the scale and architecture of the existing estate).
  - High rise tower would be unsympathetic/disproportionate to the architecture and scale of the existing Estate and conflicts with the existing identity of the area which is separate from the Kings Cross development to the south
  - High rise tower would dominate in surrounding views including from the Camden Square Conservation Area
  - Bulk and mass along York Way will overshadow the street
  - Bare concrete finish to the blocks and the bland design are not in keeping with other buildings in the area
  - The tall blocks including high rise tower will cause loss of sunlight/daylight and overlooking/loss of privacy to the existing estate and properties on Agar Grove/St Pauls Mews to the north

- Loss of daylight and sunlight from the taller buildings generally
- Relationship of blocks B&C with the existing block on Alconbury Place in particular –resulting in a pre-cast concrete end elevation wall of the proposed 6-storey block extending perpendicular to the southern elevation of 4-storey Alconbury, with loss of morning sun, daylight and outlook from the existing rear windows/balconies.
- The scheme has increased both in height (the additional 2-storeys to the tower) and in the number of blocks (the 3-storey block J housing the CHP at lower level) since initial consultation
- Increased population/overcrowding of the estate will result in problems such as noise, crime and antisocial behaviour (lessons of the 60s with high rise buildings have not been learnt)
- Renovating the existing estate should be the priority rather than an unwanted new development; there is a lack of financial information to show whether there will be funds for this.
- Loss of trees, vegetation and green spaces from the estate.
- The adding of the proposed energy centre block would result in further loss of green space
- Added pressure on existing services and facilities such as health provision, schools, open space and social amenities
- Added strain on public transport facilities including the already crowded 390 and 284 bus routes
- Parking problems and added pressure on the estate's existing parking spaces
- More traffic flow running along the existing estate access road disturbing residents
- Increased traffic and parking congestion on surrounding roads
- Loss of existing industrial estate which has B1c/B2 units which are badly needed by small businesses
- More work needs to be done on the financial and social impacts of this number of dwellings and feasibility for the scale of building proposed
- Inadequate consultation
- The estate should be better secured and gated, not opened up to become a through-route
- Noise and disturbance during construction
- possible subsidence causing structural damage during construction

### **Supports**

- 4.18 Two letters of support, both from Estate residents were received: one being from a resident of 74 St Pauls Crescent who also hoped that the planning permission will include specifications in relation to promised works in the remainder of the estate and contributions towards the creation of extra schools provision in the area; and the other being from 122 St Pauls Crescent stating that the proposal will provide much needed additional housing stock and make use of under-used, low density land. The resident of No. 122 also said that they hoped that the changes to transport links on York Way and the increased Estate population would help towards creating a positive dynamic in the Estate Community, the latter being dependent upon well resourced proactive management, such as a considered letting policy.

## 5. POLICIES

- 5.1 Set out below are the LDF policies that the proposals have primarily been assessed against. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

### **LDF Core Strategy and Development Policies adopted 8<sup>th</sup> November 2010**

CS1 Distribution of growth

CS4 Areas of more limited change

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS7 Promoting Camden's centres and shops

CS8 Promoting a successful and inclusive Camden economy

CS10 Supporting community facilities and services

CS11 Promoting sustainable and efficient travel

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS15 Protecting and improving our parks and open spaces and encouraging biodiversity

CS16 Improving Camden's health and well-being

CS17 Making Camden a safer place

CS18 Dealing with waste and encouraging recycling

CS19 Delivering and monitoring the Core Strategy

DP1 Mixed use development

DP2 Making full use of Camden's capacity for housing

DP3 Contributions to the supply of affordable housing

DP5 Homes of different sizes

DP6 Lifetime homes and wheelchair housing

DP12 Managing impact of food and drink uses

DP13 Employment premises and sites

DP15 Community and leisure uses

DP16 Transport implications of development

DP17 Walking, cycling and public transport

DP18 Parking standards and limiting the availability of car parking

DP19 Managing the impact of parking

DP20 Movement of goods and materials

DP21 Development connecting to the highway network

DP22 Promoting sustainable design and construction

DP23 Water

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP27 Basements and lightwells

DP28 Noise and vibration

DP29 Improving access

DP30 Shopfronts

DP31 Provision of, and improvements to, public open space and outdoor sport and recreation facilities

DP32 Air quality and Camden's clear zone

## 5.2 **Supplementary Planning Policies**

Camden Planning Guidance (CPG) 2011

- CPG 1 Design
- CPG 2 Housing
- CPG3 Sustainability
- CPG4 Basements
- CPG5 Town centres, retail and employment
- CPG 6 Amenity
- CPG 7 Transport
- CPG 8 Planning obligations

## 5.3 **London Plan July 2011**

## 5.4 **National Planning Policy Framework**

On 27<sup>th</sup> March 2012 the Government published the National Planning Policy Framework (NPPF). The policies contained in the NPPF are material considerations which should be taken into account (from 27<sup>th</sup> March 2012) in determining planning applications. The NPPF replaces a number of national planning policy documents (listed at Annex 3 of the NPPF).

## 6. **ASSESSMENT**

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Land use policy issues including the need for estate regeneration, mix of uses and balance of priorities
- Housing; including housing density, affordable housing, mix of units, quality of accommodation and occupier amenity
- Employment and commercial uses including loss of employment floorspace
- Design quality and townscape
- Public open space
- Accessibility
- Community safety
- Neighbourhood Amenity in terms of the impacts of the proposed development on its surroundings, effects on daylight, sunlight and overlooking
- Community impacts



- Transport and servicing
- Sustainability and energy issues
- Biodiversity and trees
- Basement impact
- Contaminated land and air quality
- CIL

### **Land use principles**

#### *Strategy for growth*

- 6.2 Camden's Core Strategy sets the agenda for growth within the Borough for the plan period 2010-2025. The overall approach to growth and development as laid down by policy CS1 is to focus growth in the most suitable locations, particularly the highly accessible identified growth areas such as Kings Cross and Euston, and to make the best use of Camden's limited land generally. The Council's Capital Investment Programme (CIP) links directly into this by thinking strategically about future investment decisions to make the best use of the Council's sites and property assets as part of a wider place shaping approach. Nine areas have so far been identified where 'Place Plans' have either been prepared or are in preparation, and which are considered to be the areas of greatest opportunity for investment. The nine place shaping areas so far identified are Kings Cross, Euston, Kentish Town, Camden Town, Gospel Oak, St Giles to Holborn, Swiss Cottage, West Hampstead and Kilburn. The intention of the CIP (as stated at para 2.2 of the December 2010 Cabinet Report) is to lead to very real improvements in the environment of each of these places as well as a contribution to providing improved services, facilities, more affordable housing and housing.
- 6.3 Although Maiden Lane Estate is included within the wider part of the Borough outside of the identified key 'Growth Areas' and 'Other Highly Accessible Areas', policy CS4 (Areas of more limited change) does envisage some large scale development taking place in certain estate regeneration programmes. Policy CS6 (Providing Quality Homes) goes on to identify the possibility of regeneration for certain estates that have a substantial investment need, which would both serve to generate investment capital for improving existing Council housing to Decent Homes (now 'Better Homes') standard and create opportunities for more sustainable communities to be created that address local housing need. The policy envisages that where such estates are identified, 'place-shaping' principles will be applied for working with residents and communities to develop a vision for the area that addresses housing needs directly, achieves high standards of sustainability and energy efficiency, and delivers wider social benefits such as helping people get into work and improving health. Maiden Lane is one such estate which policy CS6 goes on to identify as already being subject to on-going consultation.
- 6.4 Maiden Lane has been identified within the Kings Cross Area Place Plan along with other deprived estates in need of investment that border Kings Cross Central.

Despite its close proximity to Kings Cross Central, Maiden Lane estate is seen as having particularly poor links to it and the wider Kings Cross area generally. The Place Plan was jointly prepared by Camden and Islington Councils and approved in July 2012. The local community is in the process of setting up a Neighbourhood Forum for the preparation of a neighbourhood plan for much of the northern, western and southern part of the place plan area but this does not include Maiden Lane. However the series of consultation events organised by the Council around the various options for regenerating Maiden Lane have paved the way for Cabinet approval in April 2011 for the preferred option of developing the York Way frontage of Maiden Lane Estate including the existing industrial site.

- 6.5 Therefore in terms of Camden’s Core Strategy approach, the principle of significant regeneration at Maiden Lane Estate is in accordance with the Council’s growth strategy outlined under policies CS1, CS4 and CS6. The acceptability of the proposal will therefore depend on its detailed content in terms of the design, mix of uses and its success in delivering a sustainable scheme that benefits the existing community.

*Mixed use development*

- 6.6 Policy DP1 states that the Council will seek a mix of uses in development in all parts of the Borough. The scheme proposes a residential led, mixed-use development with secondary commercial uses (Classes B1, A1, A3, A4 and/or D1) which as far as possible seek to replace the existing business uses of the existing industrial estate. There is also a loss of 36 existing social housing units through demolition of nos. 1-55 and 2-16 Maiden Lane, but these are very small, mainly studio units and more than made up for by the replacement market and affordable housing within the scheme.

- 6.7 The overall development would result in the following uses (all figures in sqm GEA):

**Table 1: Existing and proposed floorspace**

Use	Existing	Proposed	Comments
Residential	1700	27957	Existing residential comprises 32 x studio and 4 x 1-bed units of average internal floorspace 36sqm
Non-residential			
Business	1509	587	Minimum amount of floorspace to be in B1 use
Community/health	0	653	Balance of non-residential floorspace to be in any combination of approved uses
Retail	0		
Food & drink (A3 or A4)	0		
Total non-resi		1240	

- 6.8 As well as a net loss of employment use (between 269sqm and 922sqm depending upon the final mix of non-residential uses), the replacement employment uses would be of a different type, being created within the ground floor accommodation of predominantly residential blocks. This would make them primarily suited to general offices and small businesses, as well as shops and food and drink uses,

rather than the more traditional industrial/storage uses that would be catered for by the existing accommodation.

- 6.9 The issues arising in the context of the LDF land use policies protecting existing employment uses are considered in detail elsewhere in this report (refer to the 'employment floorspace' section below). However, in terms of the estate regeneration objectives aimed for, there is a strong argument for removing the existing industrial estate to enable an improved built-relationship with York Way and better links with the south and east, including Kings Cross Central. The industrial estate has posed a considerable constraint on Maiden Lane since its inception and there is now an opportunity within the context of the CIP overall for a process of review in order to enable sites to realise their full potential.
- 6.10 There is a balance of priorities to be struck between maximising the capital returns and other benefits from the scheme in terms of residential use, while on the other hand maintaining the Council's policy position of protecting existing employment uses, the general approach of the scheme to incorporating a mix of residential and commercial uses is acceptable in terms of policy DP1. The proposed uses are each assessed in the following sections.

### **Housing and affordable housing**

#### *Housing Density*

- 6.11 In order to make the most efficient use of land and meet the objectives of policies CS1 and CS6, higher density development is encouraged in appropriately accessible locations and there is an expectation that densities will be towards the higher end of the density ranges set out in the London Plan. The emphasis on higher density development is reinforced by policy DP2 (Making full use of Camden's capacity for housing) of the LDF Development Policies, but should at all times be subject to other policies such as those protecting resident and neighbour amenity and securing the height, bulk and massing appropriate to an area in terms of good design.
- 6.12 Policy 3.4 of the London Plan (July 2011) requires that development should optimise housing output for different types of locations within the relevant density ranges shown in Table 3.2 and states that "*the form of housing output should be determined primarily by an assessment of housing requirements and not by assumptions as to the built form of the development.*". The application site has a PTAL rating of 2.
- 6.13 The site density of the proposal is 492 habitable rooms per hectare based on the net residential area as calculated in accordance with paragraph 1.3.14 of the Mayor's Housing SPG (November 2012). This is above the density guidance in the London Plan which indicates a range of 200-450hr/ha for such "urban locations" of PTAL 2-3. However two factors mitigate in favour of a slightly higher density on this site, namely; the relatively high choice of public transport links which makes the site better connected than the PTAL would suggest (as commented by TfL); and the quality of the development in its context overall. London plan policy 3.4 sets out a range of considerations for assessing whether proposals would optimise the site: including local context, design and transport capacity as well as social

infrastructure, open space and play. Although the site is in an area of more limited change (CS4) the proposed development is well within reach of various local amenities including those to be provided within the Kings Cross Central development a short distance to the south. It also includes provision within the site itself for employment, retail and community uses (including a potential health centre). The townscape considerations are assessed in more detail later but they conclude that the bulk and massing of the proposals is also appropriate to the setting. The scheme can be demonstrated to optimise use of the site and is acceptable in terms of policy CS1 and DP2.

### **Affordable housing**

6.14 The proposed development would provide a total of 265 new dwellings totalling 24,404sqm floorspace measured by gross internal area (GIA). This is split between private market, intermediate and social rented tenure types aimed to achieve a balanced and sustainable addition to the Maiden Lane Estate community.

6.15 The proposed affordable housing of the development would be spread across 7 out of the 10 blocks of the development:

Block A (20storeys) would include 17 x 1b/2p and 10 x 2b/3p intermediate units on the ground to fifth floors, with market units on the floors above;

Block C (6 storeys) would include 5 x 1b/2p, 10 x 2b/3p and 1 x 2b/4p intermediate units;

Block F (5 storeys) would include 4 x 1b/2p, 6 x 2b/3p, 6x 2b/4p and 4 x 4b/6p social rented units;

Block G (5 storeys) would include 4 x 1b/2p, 6 x 2b/3p, 6 x 2b/4p and 4 x 4b/6p social rented units;

Block H&I (5-6 storeys) would include 3 x 1b/2p and 20 x 3b/5p social rented units and 2 x 1b/2p and 8 x 3b/5p intermediate units

Block J (3 storeys) would include 8 x 1b/2p social rented units above the ground floor energy centre.

This is welcomed since it places social rented and family accommodation within the lower rise blocks and closest to the public amenity spaces of the development.

6.16 The affordable housing would fully meet the definitions for such, as contained within the Council's Housing CPG (CPG2). The GLA have confirmed that this development is broadly acceptable in strategic housing policy terms. The scheme is eligible for Housing Grant subsidy under the 2011-15 Affordable Housing programme which is funded by the GLA. This normally requires that rents are charged at up to 80% of market rates. The Council have confirmed that the affordable rented accommodation will equate to target social rent levels which would be below 80% and in line with the Council's affordability criteria. Given that this is an estate regeneration scheme and achieves a balance of tenure types in which social rented affordable housing has been set at a reasonable maximum taking into account the need to achieve a sustainable and balanced community, the GLA have indicated their acceptance on this occasion. The affordability terms of all the proposed affordable housing would be secured as part of the shadow S106 agreement to accompany any permission granted.

- 6.17 The proposal achieves just over 50% affordable housing with a 62:38 split between social rented and intermediate by floorspace, which is broadly in line with the core strategy policy CS6 and London Plan 60:40 guideline ratio. The full breakdown is set out in table 2 below:

**Table 2: Housing tenure types by floorspace and number of units**

	Number of units	Habitable rooms	Floorspace (sq.m.)G EA	Floorspace (sq.m.) GIA	Floorspace (sq.m.) NIA	% by NIA
Private	141	372	12,799	11,741	9,066	49.6%
Intermediate	53	151	5,504	5,048	3,451	18.9%
Social rented	71	250	8,414	7,615	5,751	31.5%
Affordable total	124	401	13,918	12,663	9,202	50.4%
Total	265	773	26,717	24,404	18,268	100%

- 6.18 The existing residential to be demolished comprises 36 units (1,312sqm GIA) of which 32 (1,159sqm GIA) are social rented and 4 (153sqm GIA) are private leaseholder-owned. After taking into account the loss of these units, the net increase in housing provision is still close to 50% affordable (i.e. 49.8%) as can be seen in table 3 below:

**Table 3: Residential floorspace net increase**

	Floorspace (sq.m.) GIA	
Private	11,588	50.2%
Intermediate	5,048	21.8%
Social rented	6,456	28.0%
Affordable total	11,504	49.8%
Total	23,092	100%

- 6.19 Policy DP3 sets out a clear expectation for all residential developments with capacity for 10 or more additional dwellings to achieve a target of 50% of the total addition to housing floorspace as affordable housing. Whilst only the GIA floorspace figures are available for the existing residential floorspace to be lost, rather than net internal (NIA) which is recommended by CPG2 (Housing) as being the most accurate for use in such calculations, the NIA % figure would not differ significantly from this. The 50% target figure can therefore be considered as effectively being met by the proposal given that a reasonable rounding of the percentage figure can be tolerated in the course of working within the constraints of the site and proposed building envelopes.
- 6.20 In this case there is no requirement under policy DP3 for a viability assessment, although a simple viability statement has been included in the Planning Statement. This sets out that the proposed scheme would produce a development surplus of approximately £17 million which is equivalent to 22% of Gross Development Value. This compares closely with the 20% profit margin that would be expected by a private developer, which instead of representing a capitalised receipt, would be available for recycling into estate improvements and meeting other Council priorities.

### *Estate improvements*

- 6.21 It should be noted that the viability statement sets out a figure of up to £35m being the total estimated Maiden Lane investment need and therefore the proceeds from the development are only ever likely to meet a proportion of this work. Full surveys and feasibility studies need to be undertaken in order to establish the detailed scope of the works packages but existing indications are that the more major elements will include:
- Roof renewal
  - Refurbishment of balconies and access walkways
  - Insulation
  - Window replacement
  - Rewiring
  - Public realm works
  - Other extensive internal and external redecorations
- 6.22 The Council (HASC) is currently working up a strategy for implementation as such an extensive refurbishment programme on a dense estate with residents in occupation will be a complex matter. The first step has been to commission a services strategy and a public realm strategy, which are in progress.
- 6.23 Funding for this extensive programme is expected to come partly from the surpluses generated from the proposed development. Whilst the funding requirement is unlikely to be wholly met from this source, it would be unlikely that anything like the level of funding anticipated could be generated from a scheme undertaken by a private developer, even if the Council were to make the site available at nil value.
- 6.24 Therefore in the light of the above, the proposed development can not only be considered to provide a policy compliant proportion of social rented and intermediate affordable housing, but would also generate funding to enable improvement works to the existing social housing on the Maiden Lane Estate along with other Council priorities identified by the CIP. This is welcomed in accordance with policies CS6 and DP3.

### **Unit Mix**

- 6.25 Policy DP5 states that residential development should provide an appropriate mix of unit sizes including large and small units and highlights the different dwelling size priorities for social rented, intermediate and market housing. The unit mix of the outline scheme which includes a range for each unit size is set out in table 4 below:

**Table 4: Unit mix**

	1b2p	2b3p	2b4p	3b4p	3b5p	4b6p	Total
Private	56	27	53	5			141
Intermediate	24	11	10		8		53
Social rented	19	12 (12WCh)	12		20 (8WCh)	8	71
Total	99	50	75	5	28	8	265

- 6.26 The overall mix has been shaped by the advice from the Council's Housing Needs and Access Team to focus on the priorities of those in housing need in the Borough. It has also been designed to achieve a balance of household sizes and child density across the estate as a whole which already includes a significant number of larger family sized units. Nevertheless the 20 x 3-bed and 8 x 4-bed social rented units proposed will make a valuable addition to help meet the pressing needs of lower income families in the Borough. The 3-bed units and 12 of the 2 bed units in the social rented accommodation would be provided as wheelchair housing.
- 6.27 The provision of 10 x 3-bedroom units within the Intermediate tenure is also particularly welcome and helps to address a shortage of this housing type that has arisen largely due to difficulties in achieving affordability for this size of unit for shared ownership in particular.
- 6.28 A Local Letting Policy has been devised to help ensure that households already present on the estate who are in housing need, will have priority for the new affordable housing, particularly those currently living in the 36 units to be demolished.
- 6.29 The concentration of smaller unit sizes in the private housing is driven by the highest priority need for 2-bedroom units in that tenure as reflected in the "dwelling size priorities table" of policy DP5. This unit size makes up almost 60% of the private units overall. The balance of provision being made up mainly of 1-bedroom units (which are less of a priority need) is largely on account of the need for the private housing to fund improvements to the wider estate and to finance the provision of the affordable housing as there remains a strong and lucrative market demand for this unit size, and is considered likely to be more successful in this location than larger sized units.
- 6.30 Nevertheless the introduction of 5 x 3 bedroom 4 person units during the course of the assessment is considered a welcome revision to provide at least some units suitable for family occupation within the private housing of the development. Any further changes to the scheme to add additional family units is likely to negatively impact on the Council's CIP objectives of investment in existing stock and providing more affordable housing. We are advised that an excessive number of 3 bedroom private units would take longer to sell, cost more to market and result in potentially delayed capital receipts. This in turn would impact on the overall viability of the development.

### **Quality of Accommodation and Occupier Amenity**

#### *Unit size*

- 6.31 The proposed residential accommodation has been designed in accordance with the mayor's Housing SPG and the London Housing Design Guide (LHDG) produced in interim form in August 2010. All dwellings would be at or above both the Mayor's published space standards and the Council's minimum guidelines set out in CPG2. These are set out in table 5 below alongside the maximum and minimum internal areas for the units proposed.

**Table 5: Unit Size Comparison**

Unit Type	London Plan Min (sqm) (flats)	CPG2 Min (sqm)	Proposed (Min) (sqm) (NIA)	Proposed (Max) (sqm) (NIA)
1b2p	50	48	50	61
2b3p	61	61	69	73 (WCh)
2b4p	70	75	75	75
3b4p	74	75	75	75
3b5p	86	84	86	117 (WCh)
4b6p	99	93	124	124

*General amenity*

6.32 As well as meeting the relevant space standards, the proposed units have been designed to maximise the quality of accommodation and comply with relevant design guidelines in the following ways:

- Spacious room sizes to afford flexibility for use and furniture layout in compliance with the LHDG
- Separate kitchen/dining rooms provided for all the 4-bed units and 12 of the 3 bed units in the social rented tenure
- Block layouts have been designed to ensure that no more than five units per floor share the same core
- Dual aspect arrangement for a high proportion of units and none having solely north-facing aspect
- Private balconies provided for all units that open off the living room and are at least 1.5m in depth/width
- All the 4-bed units (blocks F & G) to be located at ground floor level and provided with private gardens
- All residential entrances are accessed from the street
- Privacy zones separate the ground floor residential units from the public realm or communal areas
- Maximising accessibility to existing and proposed communal amenity space enhancement of the existing play areas and open spaces at St Thomas Place and Allensbury Place.

*Natural light and outlook*

6.33 Good visibility to outside space is afforded from all of the units with those in the south-facing blocks B&C and tower (block A) having extensive views across London. The submitted daylight and sunlight analysis contains a detailed assessment of the proposals in relation to the British Research Establishment (BRE) guidelines. This demonstrates that all habitable rooms will at least meet the minimum standards for average daylight factor (ADF). This has been achieved through ensuring that all habitable rooms will afford an outlook onto some form of private or public amenity space, and the internal design of units ensuring shallow room dimensions on lower floors where available daylight would be more restricted.

6.34 In terms of sunlight a certain proportion of windows tested (i.e. those that face within 90-degrees of due south) fail to receive the minimum recommended probable sunlight hours (PSH). However 77% of the windows within the development will meet the BRE requirements for sunlight which is considered acceptable for a dense urban context such as this.



6.35 The submitted analysis has also assessed the relationship of the proposed buildings with the public open spaces within the development in terms of overshadowing. It is accordingly demonstrated that over 65% of Allensbury Place and over 90% of Allensbury Place will be in receipt of at least 2 hours of sun on 21<sup>st</sup> March which is well above the BRE recommended minimum of 50% for open space.

6.36 It is therefore considered that the proposed residential units will provide adequate to good levels of natural daylight and sunlight in compliance with policy DP26.

#### *Privacy*

6.37 With respect to privacy, CPG6 (Amenity) states that there should normally be a distance of 18m between windows of habitable rooms of different units that face each other. This distance is measured between the two closest points of each building including balconies.

6.38 The proposed development has been designed to respect the original masterplan of the Maiden Lane Estate. The historic layout of the estate is such that the 18m distance between blocks F and E and G and D cannot be achieved if the proposals are to maintain the urban design context of the original estate. The proposed gaps between buildings (which at the narrowest is 15.5m between facing windows, or 12m including balconies) is however consistent with the existing close-knit grain of the estate.

6.39 In mitigation of these circumstances, efforts have been made in their design to avoid the placing of the windows to these blocks directly opposite one another and prevent direct views. The use of obscure glazing to the balcony balustrades of the interfacing elevations of these blocks would further help in maintaining acceptable levels of privacy and should be secured by condition.

#### *Wheelchair units and lifetime homes*

6.40 Planning policy DP6 requires all dwellings to be designed to comply with Lifetime homes standards and 10% of homes to be suitable for wheelchair users. The 20 wheelchair housing units (8 x 3 bed and 12 x 2 bed units) proposed within the social rented tenure is in response to demonstrated needs and equates to 10% of the total accommodation by floorspace. Whilst policy DP6 would normally seek the 10% requirement to be spread across tenures, the larger sized wheelchair units offered do address an accommodation type which has been identified as a particular priority by Housing Needs and Access Officers and therefore is acceptable on this occasion.

6.41 The applicant has submitted a dwelling type appraisal relating to Lifetime homes as part of the Design and Access Statement. This has indicated that Lifetime homes standard has been achieved throughout the scheme with the exception of a couple of points in flat types I & K, however on inspection of the plans the Council's Access Officer has confirmed that the arrangements in these respects appear acceptable.

#### *Refuse storage*

6.42 Each block is provided with a dedicated bin-store at ground floor level. These provide adequate space for all types of waste including separate recycling receptacles. Refuse arrangements have been designed to minimise the amount of on-site management and be easily accessible for either direct collection by refuse vehicles, or for on-site management where refuse vehicles are not able to service the blocks directly. The bin stores are also located adjacent to the entrances of the new residential blocks so are easily accessible. In the case of the self contained homes in blocks F and G, the refuse arrangements have been designed on the assumption that their refuse will be stored within the communal bin-stores of the respective blocks enabling ease of collection and keeping front entrance areas clear and tidy. The refuse arrangements are considered to comply with policy DP26.

*Noise and vibration*

- 6.43 The NPPF forms the primary source of national planning policy guidance since it was issued in March 2012. However it contains no specific criteria with regard to noise exposure categories and therefore in this regard PPS24 can still be regarded as the most relevant and up to date guidelines.
- 6.44 The submitted Noise and Vibration Assessment bases its findings on a background noise assessment conducted in August 2011 and taking into account noise and vibration from the adjacent main road and railway line and also that from “The Egg” night club on the opposite side of York Way. It concludes from this that the facades of the proposed residential dwellings which face York Way and the railway fall into Noise Exposure Categories (NEC) B/C as defined by PPS 24. Camden’s policy DP28 suggests that planning permission will be granted for sites which fall within NEC C subject to implementation of attenuation measures. Camden Environmental Health Officers have considered the submitted assessment and have confirmed that noise from adjacent road traffic and the railway may be adequately mitigated for the more vulnerable facades by measures such as acoustic glazing and thermal glazing. This should be secured by way of a condition to any planning permission granted.
- 6.45 There may be the potential for an additional impact from the operational noise of the HS1/HS2 link should it go ahead using the existing route of the present London Overground Line as is currently being considered. This may require the undertaking of a further acoustic report nearer the time of the construction of the development and any additional mitigation being undertaken. This should also be secured by way of a condition.
- 6.46 The submitted assessment does not take into account the noise impacts of the energy centre, nor the noise from any ventilation equipment likely to be associated with the A3 restaurant use that may form part of the flexible commercial accommodation applied for. These, however, are not unusual as part of a mixed use development and it is considered that a subsequent noise assessment for each along with appropriate mitigation may be secured by a condition. The noise related issues arising in connection with the servicing of these and the comings and goings and other potential nuisances associated with food and drink uses in particular may similarly be controlled by standard conditions.

*Additional noise issues in respect of the Egg nightclub*

- 6.47 There have been additional concerns raised in respect to noise issues by the objection received from the Egg nightclub. This entertainment venue occupies premises at 196 – 200 York Way opposite proposed block D of the development. The Egg Nightclub has been operating since 2008 and is open to patrons on Friday nights between 2200-0700, Saturdays 2200-1100 and Tuesdays and Thursdays between 2200-0600. It consists of various internal bar areas and a large outdoor terrace on the ground floor where amplified music is played under the terms of its existing license.
- 6.48 The Egg's objection has given rise to two subsequent noise surveys being undertaken:
- Sharps Redmore report undertaken on behalf of the Egg nightclub; and
  - Spectrum Acoustics report undertaken on behalf of the applicant
- 6.49 Camden's environmental officers have visited the Egg and carried out their own assessment in the light of these surveys.
- 6.50 Officers consider it reasonable to conclude from these reports that noise from the Egg is contributing to the night time noise environment and could have an impact on any future occupiers of the proposed development. However each report submitted provides differing data sets with that supplied by Sharps Redmore suggesting that the proposed site falls within NEC D while that by Spectrum Acoustics, which is more comprehensive, would indicate Category C (which accords with the originally submitted noise report).
- 6.51 However the PPS24 NEC categories are intended to relate to noise arising from road and rail traffic specifically and not places of entertainment. In contrast to road and rail traffic, noise from places of entertainment can be perceived differently according to the general nature and levels of activity prevailing in the area. Noise from places of entertainment in Camden is assessed against the Council's own noise standards set out in Table D of policy DP28 and these standards reflect the mixed use nature of Camden. The allowance given in Table D is for 5 dB above background (for daytime) and 3 dB above background (for night time).
- 6.52 The data provided by Spectrum for the 2am to 5pm peak when the club is operational exceeds the criteria in Table D of policy DP28 in 18 out of the 36 measurements taken and while some of these exceedences were in the 3 dB (A) margin, others were as high as 19.8 dB(A) which is clearly contrary to Camden's policy. The noise readings are suggestive of much of the noise arising from the street outside the club from comings and goings of patrons and associated vehicles/taxis.
- 6.53 It is important to note that the measurements only reflect one weekend and it is understood that the club was operating to full capacity when the readings were taken. This would therefore suggest a worse case scenario for how the club operates at the moment. It is also unclear whether the Egg was operating in line with the conditions of their licence at the time of survey.

- 6.54 The Egg has a number of licensing conditions which aim to promote the licensing objective of “preventing public nuisance”. These conditions relate to noise management from music noise and also patrons e.g. through queue management. Presently the nearest residential properties are approximately 60 m away and the proposed development would bring residential properties closer to approximately 20 m away (this is proposed Block D) within a direct line from the premises. No information has been provided on what the current noise levels from the Egg are at the current nearest residential properties compared to the site of the proposed nearest residential properties. No information has been provided on what additional measures, if any, the Egg feel would need to be implemented to meet their licensing conditions should the residential dwellings be sited closer to them. It is therefore not possible to quantify the possible likely impact on the Egg should residential dwellings be in closer proximity to them.
- 6.55 In addition The Egg has advised that they have recently been granted planning permission which would extend the external areas of the premises and increase their capacity, and consequently the potential for noise. As of the date of concluding this report the details of this planning permission have yet to be ascertained, although it appears to have been granted in March 2009 meaning that it could have expired if not implemented within the 3 year period.
- 6.56 In the light of the above, often conflicting factors, it is not considered that there is sufficient evidence to justify refusal of the application based on noise grounds alone. There is also insufficient data to support that Camden’s policy DP28 with respect to entertainment noise can be met. It is recommended that a more robust assessment and analysis of the noise environment is needed, particularly prior to any development of proposed block D and the neighbouring blocks on either side (A and E) being commenced.
- 6.57 It is therefore recommended that this matter is addressed by a condition requiring a further survey to re-assess the noise environment in the vicinity of York Way before any work on blocks A, D and E commences to give the local planning authority a further opportunity to consider whether the noise concerns can be adequately addressed by mitigation and what mitigation is required.

### ***Housing summary***

- 6.58 The proposals would contribute significantly to the boroughs housing needs across all tenures. The quality of amenity for occupiers would be high in terms of internal layout, natural light and outlook and all units would be afforded a balcony. The noise impacts associated with the adjacent main road and railway may be satisfactorily overcome by mitigation, although a further noise survey would need to be taken of noise associated with the existing entertainment venue at 196-200 York Way to determine the likely impacts on blocks A, D and E of the development. All units would meet lifetime home standards and 10% of the proposed housing will be provided as wheelchair housing in line with policy requirements. Overall the scheme achieves a successful balance, not only providing 50% affordable housing but also generating sufficient returns to enable improvement works to progress on the remainder of the estate along with meeting other Council priorities.

### **Employment and Commercial Uses**

## Protection of employment uses

- 6.59 Policies CS8 and DP13 seek to protect existing employment sites. Policy CS8 states that the Council will safeguard existing employment sites and premises that meet the needs of modern industry and other employers. Policy DP13 resists any change to non-business use unless: “a) it can be demonstrated to the Council’s satisfaction that a site or building is no longer suitable for its existing business use; and b) there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.” In this case, no attempts have been made to market the units or to seriously consider their refurbishment/redevelopment.
- 6.60 Policy DP13 goes on to state that where considered suitable for continued business use, the Council will consider schemes for mixed use provided that the level of employment floorspace is maintained or increased; premises suitable for new, small or medium enterprises are provided; they include other priority land uses; and the proposed non-employment uses will not prejudice continued industrial use in the surrounding area. There is also a presumption for re-provision of the existing industry or warehousing where sites have been used for these uses previously and are suitable for continued use of this type.
- 6.61 The LDF employment policies are supported by guidance in CPG5 which includes criteria for considering the quality of sites and the degree of protection to be accorded to them. These criteria formed part of the Roger Tym & Associates Business Premises Study of March 2011 which rated sites into 3 categories with Category 1 being afforded the highest priority and Category 3 sites the lowest. In brief, the main criteria distinguishing these categories are as follows:

Category 1: purpose built, predominantly single storey units with high ceiling heights and loading bays/doors of minimum 5.5m height; access for large service vehicles and unrestricted 24 hour operation, with minimal likelihood of complaint from neighbouring residential occupiers. CPG5 notes that Category 1 sites are rare in Camden and will always be protected.

Category 2: Good access for servicing and delivery, roller shutter doors and clear, floor to ceiling heights of 3-5m. This category may be subject to some degree of restriction due to the presence of neighbouring residential occupiers but should offer level access (normally ground floor), lots of natural light and at least some off street parking ability. These sites will usually be protected unless there is very strong marketing evidence to show they are no longer suitable.

Category 3: Small, isolated units with poor access via narrow streets or small doors, steps, lower ground or basement level; little or no space for servicing and no goods lift; incompatible neighbouring uses (often residential). Category 3 sites are heavily compromised and although they may continue to be occupied in the short term, may not be suitable for continued industrial use when they become empty, or will need significant investment due to the inherent constraints of their location.

- 6.62 The 2011 Roger Tym Report which provided the background information informing the CPG noted that there has been a dramatic loss of industrial premises (Classes B2, B8 or B1c) in many parts of Camden over recent years. This has contributed to an undersupply of sites leading to occupiers accepting accommodation which is less than ideal and would not so readily be occupied in other parts of London. It recommended that subject to other Council priorities sites that are still suitable for industry should be retained in industrial use. This recognises that a balance must be found between competing land use priorities including housing and therefore in some cases mixed use redevelopment may be acceptable; however this should only be where there is sufficient space for co-existence of uses, e.g. by horizontal separation.
- 6.63 CPG5 consequently advises that where mixed use redevelopment is acceptable, the new employment space should be provided to meet as many of the category 1 criteria as possible, although recognises that it may be difficult to achieve all of these features in Camden.
- 6.64 The proposal in this case is to include the Maiden Lane industrial estate in a wider mixed use redevelopment that replaces a proportion of the employment floorspace at the ground floor level of predominantly residential blocks. The rationale presented for this in the Planning Statement for the application is that; a) the existing industrial floorspace is compromised by reason of its condition and location next to residential premises; and b) the new commercial uses proposed would provide flexible space for a variety of occupiers that would accommodate a range of business types that would generate jobs, promote growth and benefit the local community. An officer assessment of each part of this stance therefore follows, having regard to the relevant Camden LDF policies:

*Quality of the existing employment floorspace*

- 6.65 The existing industrial estate, known as the 'North West Commercial Centre', accommodates 12 purpose-built units totalling 1,423sqm (GIA). They have previously hosted a range of occupiers from storage and light industry to artists' studios, manufacture of furniture and joinery workshops. These uses would fall into either B1c (light industrial) or B8 (storage) Use Classes. Over recent years the units have gradually been allowed to become vacant and the last remaining occupiers have now been relocated to alternative premises.
- 6.66 The units were constructed in the early 1980s and comprise approximately 100 sqm floorspace each. They are mainly single storey although some have been fitted with mezzanines to suit individual occupiers' requirements. Each has a set of full height loading doors of approximately 5.0m. The estate is grouped around a central turning circle which allows a medium size service vehicle to easily enter and leave in forward gear plus additional space for smaller size vehicles to park on unit forecourts.
- 6.67 In that this is a purpose built, unrestricted estate of predominantly single storey units with high ceiling heights and loading bays/doors allowing access for large service vehicles the existing industrial estate bears many of the attributes of a Category 1 site. However the level change between the estate and York Way

necessitates access from Broadfield Lane being shared with the existing residential estate which would be difficult to address even in any redeveloped scheme. Service vehicles to the industrial units have to pass in front of residential blocks before turning into the industrial estate itself and the narrowness of the access road means that larger service vehicles would have problems in negotiating the turns required. There is also the on-going potential for conflict and complaints with the residential occupiers using this road and whose properties front onto it. Therefore having regard to these constraints in particular, the site could not be fully regarded as falling into Category 1. The site is certainly not “heavily compromised” relative to most other employment sites in Camden and therefore Category 3 would not apply. In overall terms therefore, the existing estate could be best described as a good Category 2 site.

- 6.68 It is also relevant to have some regard to the overall condition of the estate. The units are reflective of a lower quality 1980s development and have become somewhat run down. Whilst this can largely be attributed to a lack of maintenance, there are indications of more structurally related problems such as the failing of floor slabs. However no comprehensive survey has been carried out, no costings provided for repair works, and in any event the expectation for Category 2 is for marketing evidence which clearly cannot be provided. With respect to condition, CPG5 observes that “*many industrial buildings require a small amount of investment to bring them back into reasonable condition. As long as the site has good access other factors, such as the age of a building, are irrelevant for most occupiers as the specification for an industrial unit has not changed in many years*”. It is far from clear cut that the constraints on this site are such to conclude that the site has reached the end of its effective life for industrial purposes.
- 6.69 The policy presumption of CS8 and DP13 would therefore be to retain the existing industrial estate, or permit its redevelopment for a mixed use scheme which provides for equivalent B1c and B8 type employment uses.

#### *Proposed employment uses*

- 6.70 It is proposed to provide as part of a mixed use scheme a range of commercial/employment uses on the ground floor level of blocks D, E, H and I. With the re-levelling of the site frontage these would be afforded good access from York Way and relate well to the existing commercial and employment uses to the east of York Way. The floorspace would be flexible in floor plan suitable for subdivision into smaller units or opening out into larger and range from 126sqm (NIA) in the ground floor of block I to 340sqm in block H.
- 6.71 In order to help inform these proposals the applicant commissioned two key studies. The first, ‘*Camden Employment Sector*’ looks at the key employment sectors within the borough, identifying those that were successful and have established a particular profile; and the second ‘*The Maiden Lane Regeneration – Commercial Options Appraisal*’ undertaken by Renaisi, which takes the first report further to identify which particular commercial activities and sectors would be most suited to the Maiden Lane area.

- 6.72 The first of these two reports has identified that the knowledge based sector including creative and cultural industries (CCI's) has been one of the largest growth sectors in Camden and accounts for 42% of the Borough's overall workforce. This growing market, despite the unfavourable economic conditions nationally, is contributing to Camden's reputation as an innovative and lively place for new businesses to grow. In comparison, the warehouse and industrial markets employ only 3% and 2% respectively.
- 6.73 The Renaisi report goes on to identify that there would be demand for low-cost B1 floorspace from small start-up businesses in the creative or knowledge based sectors, which would be suited to the development, and would develop synergies with existing businesses in the area, such as those that would establish at King's Cross Central. Such start-ups have been found to thrive in shared workspace with the opportunity for business advice and support, networking opportunities, shared administrative services and flexibility. Examples of such a facility that are already in existence in the Borough include Cockpit Arts in Holborn and The Collective in Camden Town. Renaisi suggests that there would be demand for an innovation "hub"-type offer of this nature at Maiden Lane providing the conditions were attractive to potential providers.
- 6.74 An innovation hub would relate well with the commercial, cultural, creative and educational activities within the surrounding area including the Camley Street office incubator, University of the Arts, the new Workplace facility intended to form part of Kings Cross Zone E1, and also Tileyard studios which is currently developing into a hub for music based activities on the opposite side of York Way. Providers invariably indicate that the cost of premises was the most pertinent factor in making this attractive and if affordable workspace were provided at Maiden Lane there is likely to be considerable interest.
- 6.75 An alternative option identified by Renaisi is for a 'specialist provider' to be a tenant in the commercial space of the development, such as a training or health institution if favourable tenancy terms or (in the case of a training provider) subsidised training spaces were made available. Maiden Lane would have the potential to become a suitable location for a specialist provider, but first a suitable sector and provider would need to be found so as to inform physical specification of premises and any financial arrangements.
- 6.76 The proposed accommodation has therefore been designed as flexibly as possible to enable subdivision or expansion as required and to be capable of responding to the bespoke needs of an innovation hub and/or individual occupier(s). Camden's Economic Development Team have engaged with the applicant in working up the proposals and are supportive of the space to be provided.
- 6.77 In addition the applicant has commenced discussions with the Maiden Lane Community Centre and Maiden Lane Community Enterprises (MLCE), which is the existing social enterprise running on the estate. An innovation hub or specialist provider of the type described above would offer considerable social benefits through either training or work opportunities and experience for local residents. The intention is that the development of the new B1 hub and workspace is progressed



in conjunction with these local groups to maximise the local employment, training and enterprise benefits that can be delivered.

- 6.78 In order to help ensure that the commercial premises is set up and continues to operate in the ways envisaged, the shadow S106 agreement will include the requirement for the owner to draw up an 'Employment Space Plan'. This will set out the owners' commitment (by reasonable endeavours) to providing low-cost workspace for target sectors working in partnership with MCLE or other such local organisation(s).
- 6.79 In terms of relevant planning policy, whilst the employment provision to be provided is not 'like for like' so would not normally fit with the policy presumption of DP13 for replacement of the existing, it does cater for the needs of new, small or medium enterprises which are supported by policies CS8/DP13. Considering also, that this would be delivered as part of a mixed use scheme which makes an important contribution towards the Council's CIP priorities, including significant levels of affordable housing, it seems reasonable for a pragmatic approach to be taken in this regard.

*Other proposed uses*

- 6.80 Nevertheless, it is to be noted that the 1,240sqm commercial/employment floorspace proposed amounts to less than the total floorspace (1,423sqm GIA) of the existing industrial estate. Only part of this is likely to be occupied by B1 employment uses as the application seeks flexible permission for a variety of land uses. This is partly to address other priorities which the applicant has identified in consultation with local residents such as the inclusion of a small amount of retail to address local needs, and the potential provision for a local health centre to serve as a replacement for the General Practitioners that closed at 142 Camden Road earlier in 2012.
- 6.81 A flexible approach in this manner would also assist the viability of the scheme in maximising the opportunity for attracting active occupiers. In justification of this the applicant has stated that schemes of this type all too frequently fail due to planning authorities placing overly restrictive and unnecessary user restrictions where no harm would necessarily arise from greater flexibility and such restrictions without good justification would conflict with government advice in the NPPF. Indeed there would be no policy objection in principle to the other uses proposed. A health centre in particular would be welcomed in line with policy CS10 (Supporting community facilities and services) and CS7 does allow for "*limited provision of small shops outside centres to meet local needs*". Furthermore, a flexible approach as sought would minimise the chances of vacant units arising which would be undesirable in many respects not least due to the deleterious effect on the public realm.
- 6.82 Notwithstanding the above, the applicant has indicated that they would be willing to accept a condition restricting non-employment uses to no more than 25% of the ground floor of blocks D and E. These inter-connected blocks are the most suited for a cluster of small businesses and such a condition would guarantee a minimum of 470sqm (GIA) B1 floorspace, although there is likely to be more than this.

6.83 In terms of employee numbers, it is calculated that the potential job creation (based on HCA Employment Densities Guide 2<sup>nd</sup> Edition, 2010) would be in the order of 17-18 B1 employment jobs and a similar number of service sector jobs; thus amounting to 31 to 35 full time equivalent overall, assuming likely combinations of uses within the flexible permission sought. This would compare to an average 24 jobs generated by the existing industrial estate assuming 50% B1(c) and 50% B8 occupation. It should be noted that even the B1 jobs in the proposed commercial uses as proposed would be of a very different nature to the type of employment provided by the existing industrial estate uses.

*Consideration of alternative sites*

6.84 As already mentioned at para. 6.9, there would be clear benefit to be gained for the housing opportunities and estate layout of Maiden Lane by removing the industrial estate and allowing the residential environment to relate better with its surroundings. In this way the benefits would go beyond the provision of 265 new residential units and the improvement works that could be financed to many more existing dwellings. Little or none of this is likely to be achieved with the industrial estate remaining in place, or through re-providing the equivalent floorspace on site as part of a mixed use scheme.

6.85 Officers from Culture and Environment have sought to work with HASC and Property Services with a view to realising these benefits by encouraging the identification of an alternative site or sites for the re-provision of employment uses in place of Maiden Lane industrial estate. However, whilst no specific commitment has been made in relation to the Maiden Lane proposals, HASC and Property Services have embarked on a review of Council-owned employment sites in order to inform future commercial space strategies and decision making about potential re-provision within the CIP overall.

6.86 A paper to the Cabinet Member for Regeneration and Growth (24<sup>th</sup> January 2013) sets out work in progress and identifies that so far around 22% of this employment space is currently affected by schemes that are in the advanced design stage of proposals, or coming through the planning process (such as Bacton Low Rise and Maiden Lane). Of this, 26% would be lost in realising the core CIP objective of addressing local housing needs. It should be noted that this figure takes account of re-provided commercial space such as that proposed at Maiden Lane which will not necessarily be like-for-like industrial provision. In order to mitigate this loss it is being suggested, as part of the next steps in the review, to develop a list of potential sites that could be used for re-provision of employment land. Before progressing this work any further it is intended that this be first reported through the CIP governance (CIP Steering Group and Cabinet Sub Group in February 2013).

6.87 Whilst it is hoped that there is scope within this review for finding potential re-provision, this will require further input from HASC and Property Services before any firm commitment can be made. It also cannot be guaranteed that any suitable sites will be identified for like-for-like re-provision of the type of employment space that currently exists at Maiden Lane. A letter from the head of Property Services sets out the position as follows:

*“In respect of the North Western Commercial Centre, there are no other properties or land within the commercial portfolio which could provide like for like re-provision of this type of B1 space. The estate comprises larger single storey B1 units of approximately 1200 sq ft with associated parking space and access for large vehicles; albeit that this can prove difficult given the proximity of adjoining residential uses and the limits of the roadway itself. Consequently it covers quite a large footprint of land.*

*I am not aware of any other sites/land in the council's ownership which could replace this space, and even if such space was available, there would be pressure as a result of the Council's policies to develop the land for residential use, giving the best return from the asset. In this respect it should be noted that the units at the North Western Commercial Centre are reaching the end of their useful life given that they were constructed in the early 1980s. I should also confirm that whilst Council policy is to support employment in the Borough, it is not acquiring new land specifically for these purposes. The shortage of suitable industrial sites in the Borough, the cost of land and the pressure for any vacant sites to deliver new housing compromises any ability to purchase land purely for that purpose.*

*It has always been implicit within the Reports made to, and the decisions of, Cabinet in respect to the Community Investment Programme that the North Western Commercial Centre would close and be redeveloped to fulfil the agreed objectives for the Maiden Lane Estate. Property Services have, as a result of those decisions, been working on a strategy to provide vacant possession of the site and all of the tenants of the North Western Commercial Centre have now vacated in preparation for the future site redevelopment. There is no intention by the Council to invest further in this site nor to market the units within it.”*

- 6.88 The employment issues in relation to Maiden Lane therefore need to be assessed in the above context and a weighing up of the relative benefits from either retention or mixed use redevelopment of the existing industrial estate needs to be made.

*Conclusion on loss of employment*

- 6.89 It is clear that the existing industrial estate would require some investment to bring it back into use, although no exact costing of this has been undertaken. The access constraints and relationship with the adjacent residential estate, whilst not unusual for industrial sites in Camden would still provide an on-going limitation to any scheme for refurbishment/reprovision. The default policy position would require either the retention/reprovision of the industrial estate or marketing evidence to be produced to establish the non-viability of such. The latter would necessitate a further time delay of 2 years.
- 6.90 As for the benefits to be gained from the retention or reprovision of the industrial estate on site, it has been argued that in terms of pure employee numbers there is little difference between the existing employment floorspace and the commercial/employment uses proposed. The Renaisi study finds that there is significant potential for a proportion of the jobs in the proposed uses to be local and in a sector that is a growing market in the Borough, unlike the jobs that would be provided by the existing industrial estate. This of course is not an argument in itself

for over-riding the Council's normal approach for protecting B1c and B8 uses as there are implications for the wider economy, diversity of the employment base and sustainable communities to consider.

- 6.91 However in the context of this particular estate and the very significant benefits to be afforded for the CIP priorities and estate regeneration, it is considered that an exception to the normal policy approach towards protecting employment sites could be argued as being in accordance with the wider Core Strategy considered as a whole. This is without unduly prejudicing the Council's position with regard to its approach on future employment sites that may be considered in future for redevelopment, perhaps without the same exceptional benefits that would accrue in this case.
- 6.92 The opportunity cost from not progressing with the development as proposed is such that a key Core Strategy objective for the provision of priority affordable housing within the context of estate regeneration would be prejudiced. The redevelopment of the Maiden Lane industrial estate for a housing-led mixed use development as proposed is therefore considered on balance to accord with the Core Strategy as a whole and should therefore be supported.
- 6.93 Any planning permission granted should include a condition securing a minimum of 75% of the ground floor space of blocks D and E in B1 employment use. It should also be accompanied by a package of employment and training benefits to provide training and employment opportunities for local residents. It should be noted that the number of apprentices has been effectively doubled from the usual CPG8 requirement in recognition of the loss of category 2 employment floorspace resulting in this case. The package should be secured by way of a shadow section 106 agreement and would cover the following:
- to work with the Council's construction skills centre in York Way to support the recruitment of Camden residents to jobs created during the construction of the development; to advertise all construction job vacancies locally; and to work towards a target that 20% of jobs are filled by Camden residents;
  - to provide 30 construction industry apprenticeships to Camden residents using a range of options tailored to the build requirements of the development. The placements would be delivered throughout the course of the development. Also to deliver 20 work placement/work experience opportunities throughout the construction process.
  - to deliver at least 1 End Use apprenticeship, e.g. caretaker, receptionist or another suitable role.
  - to work with the Council's local procurement team to provide opportunities for Camden-based businesses to tender for the supply of goods and services during construction and;
  - to submit an 'Employment Space Plan' setting out the owners' commitment to providing low-cost workspace for target sectors working in partnership with MCLE or other such local organisation(s).

## **Design and Townscape Considerations**

### **Context**

- 6.94 The site was designed and built in the 1970s by Benson and Forsyth (Camden Architects Department) in a distinctly modernist style and is noted by the architectural historian Pevsner as being “one of the last of Camden’s great schemes”.
- 6.95 The site is situated adjacent to and north of the London Overground line embankment. To the south of the site is the Kings Cross Central site. Further to the west the First Capital Connect Line to Luton divides the Maiden Lane Estate from the Agar Grove Estate. To the north of the site is situated Camden Square Conservation Area which continues north of Agar Grove. To the east the site is bordered by York Way and the light industrial area within the Islington border. In summary the surrounding context can be described as varied and disparate in character.

### **Layout**

- 6.96 The proposals comprise nine new blocks. The layout of these has been planned to follow the pattern of the existing estate blocks in order to respect the context of the existing estate and its character. The objective of these proposals is, also, to increase the overall permeability of the estate with new pedestrian and vehicular routes and a new principle pedestrian east-west route running throughout the estate to the north of Blocks A, B, C and J. The proposals are considered to be successful in this respect.

### **Height and Massing**

- 6.97 The proposals include a new 20 storey tower in the south-eastern most corner of the site on the frontage with York Way (Block A). The rationale for a tall building is that it will provide a marker for the estate itself and also for the new east-west route though the estate.
- 6.98 The applicants argue that there are a number of tall buildings in the locality with Lulworth block also at 20-storeys, close by on the Agar Grove estate and also an emerging group of tall buildings on the Kings Cross site including T6 at 27storeys. In this sense the proposed siting of a tall building is not considered to be inappropriate or out of context.
- 6.99 The principle tests for a tall building are set out in DP24 Securing High Quality Design supporting para 24.10, and in Camden Planning Guidance (CPG1 – Design) para 2.13 and 2.14. Tall building proposals are assessed against the following issues;
- how the building relates to its surroundings, both in terms of how the base of the building fits in with the streetscape, and how the top of a tall building affects the skyline;
  - the contribution a building makes to pedestrian permeability and improved public accessibility;
  - the relationship between the building and hills and views;
  - the degree to which the building overshadows public spaces, especially open spaces and watercourses; and
  - the historic context of the building’s surroundings.

- 6.100 In addition to these design considerations tall buildings are assessed against a range of other relevant policies concerning amenity, mixed use and sustainability. Where a proposal includes a development that creates a landmark or visual statement particular care must be taken to ensure that the location is appropriate (such as a particular destination within the townscape or a particular functional mode) and that it is sensitive to its context.
- 6.101 There are no significant conflicts with any of these tests by the proposed 20 storey tower. The building is appropriately sited within the context of a number of other tall buildings; it provides a marker for the Maiden Lane estate and a point of entry to the estate. There are no significance impacts on views of acknowledged importance (See below for a detailed assessment of the impact of the proposals on views).
- 6.102 A central criteria for the assessment of tall buildings set out in CABE and English Heritage's Guidance on Tall Buildings is the architectural quality of the building. Generally it is considered that this test has been passed (See Detailed Architectural Design below).
- 6.103 Storey heights throughout the existing estate range from 2 storeys to 5 storeys. Block J which forms the energy centre and is situated deepest in the site is 3 storeys. The two blocks closest to a row of existing 4 storey blocks along Broadfield Lane step up to 5 storeys (F and G). The taller blocks are generally on the edges of the estate. Blocks B and C situated to the west of the tower (Block A) and adjacent to the railway line are 6 storeys. The massing of the remaining buildings ranges from 5, 6 and 7 storeys for the blocks along the York Way frontage. These blocks provide a broadly consistent height along York Way where there is a change of level inclining between the south to the north by about 3m.
- 6.104 Although the principle of a tower will be a completely new element to this stretch of York Way, there is a precedent for a 7-storey building in the form of the 'Fitzpatrick building beside the railway bridge opposite. The rest of the buildings on the east side of York Way are lower rise, mainly mid-C20th industrial buildings of no architectural merit or homogeneity. The change in character to this streetscene arising from the proposals is therefore considered acceptable.

### **Views**

- 6.105 The proposals are not within the scope of any strategic views.
- 6.106 In a long view from Parliament Hill the proposed tower has minimal impact and is seen within a cluster of existing tall buildings visible in this view. In a view from Primrose Hill the proposed tower is more prominent however is seen in the context of T6 and the tall building on the Agar Grove Estate which have significantly more visual impact in terms of their height and mass.
- 6.107 In a shorter range view from the edge of Camden Square Conservation Area on Agar Grove the proposed building will be visible, however the building is not considered to have any greater prominence than T6. From deeper into the Camden Square Conservation Area looking south-east along Murray Street, it is clear that T6 is prominent whilst the proposed tower is not visible. In views from the junction

of Canteloves Rd and Camden Square neither building is visible. Towards the eastern edge of the Camden Square conservation area looking south along Marquis Road T6 is particularly prominent. The proposed tower will be at least equally prominent however in the context of the approved T6 there is no significant harm to the skyline.

### **Detailed Architectural Design**

- 6.108 The detailed design of the proposals takes its cue from the modernist design language of the existing estate. The design of the lower blocks B-J derives from the character of the expressed concrete structure of the existing blocks and repetition of building components, particularly balcony details and glazing patterns.
- 6.109 Each bay of these blocks is divided by pre cast concrete structure which serves as a partition between balconies and provides modulation of the façade. Each bay is further expressed by a “sky blade” which extends the structure upwards to provide a more elegant proportion. The clear expression and simplicity of the geometry of the façade treatment is supported by a restricted palette of a white concrete finish with black infill to the inset balcony areas.
- 6.110 The design of the tower similarly takes its cue from the design of the existing lower rise buildings based on a strong structural grid and repetition of balcony and glazing details. “Sky blades” provide an elegant top to the tower. A double height entrance on the ground floor provides a suitable treatment to the base of the tower. Generally the design of the tower is considered to be of high architectural quality.
- 6.111 The design and access statement identifies the principle materials as follows;  
Concrete Board; a highly durable natural aggregate with the appearance of natural stone. The material chosen here is a white Portland stone finish to compliment the existing architecture. It is proposed to use visible joints to echo those that exist on the flank walls of Broadfield Lane.  
Dark metal Cladding; cladding panels to the balcony interiors will be black painted aluminium.  
Bronze Cladding: It is proposed to use a bronze effect finish to entrance areas.
- 6.112 These materials are considered to be appropriate and are acceptable in principle. Conditions are recommended in order to secure the quality of finishes required including a sample panel of not less than 3m x 2m to adequately demonstrate the combined effect of colour, jointing, texture and fixing.

### **Landscape Design**

- 6.113 The landscape design proposals aim towards integrating the new development into the existing estate and improving the quality and functionality of the existing spaces;
- (1) the existing space relating to St Thomas Place is enlarged, improved and diversified with new play areas, seating, planting and a raised lawn for informal recreation.
  - (2) Allensbury Place is redesigned and improved with more planted areas, seating, play facilities and DDA compliant access.
  - (3) a series of private and communal gardens area provided between Blocks D, E, F and G.

- (4) routes through the estate are made more legible by re-establishing and building on the original red brick path network
- (5) a principle pedestrian route is created from the south eastern corner on York Way through to Allensbury Place
- (6) the pavement along York Way in front of Blocks D, E, H and I is widened and includes new tree planting.

6.114 In general it is considered that the Landscape Design proposals successfully integrate the proposed buildings into their immediate context and improve the quality of the public realm throughout the estate.

### **Conclusion on Design**

6.115 Generally the design of the proposed buildings is considered to be appropriate to the context of the existing estate and its surrounding context. The detailed architectural design (subject to the satisfactory discharge of conditions) is considered to be of high quality and meets the policy requirements of the LDF.

### **Public open space and play space**

6.116 One of the aims of the development is to seek to maximise the benefits to residents from the existing open spaces within the Maiden Lane estate. This would apply to the existing residents of the estate as well as the proposed new ones. The site is not located within an area which suffers from deficient levels of open space as defined in the Council's LDF; in fact the estate can be regarded as well provided for in this regard since the 0.7 ha green space and 737 sqm multi-use games area that borders the estate to the west are themselves a designated public open space in the LDF. The western half of the estate also includes a further 3,168sqm of hard landscaped 'civic' space, a childrens' play area and 588sqm natural green space adjacent the railway embankment to the south, much of which has been recently been transformed into a community garden by estate residents.

6.117 Within the proposal site area itself are further open spaces including two amenity areas, St Thomas Place and Allensbury Place, and some more informal natural green space adjacent the Railway embankment which provides habitat for birds and other wildlife. This natural green space area features under the same open space designation as the private open space bordering the railway line and is thus afforded protection by policy CS15, although it is not part of the Site of Nature Conservation Importance (SNCI) which just affects that part of the designated open space within Network Rail's ownership. Some of the open spaces in the eastern half of the estate are rather poorly related to it and suffer underuse. In terms of open space provision, the need for enhancement is more to do with the improvement of quality rather than increased quantity in the particular case of Maiden Lane.

6.118 Policy CS15 and CPG6 require developments over 500sqm which give rise to an overall increase in the number of visitors or occupiers to contribute to the provision of public open space. The Guidance expects new developments to provide for the open space needs of its occupiers at a ratio of 9sqm per residential occupier and 0.74sqm per worker. This would normally be expected on site in areas with an under provision of open space, otherwise a financial contribution may be made



towards the provision or enhancement of open space off-site. The Guidance acknowledges that private amenity space and other private open land can reduce pressure on the use of public open space. However, public open spaces provide opportunities for social interaction and a focus for community activities. Therefore, private spaces cannot be used as a substitute for public open space.

6.119 The landscape aspects of the proposed development as summarised in the previous section will entail an overall improvement in the quality and functionality of the existing spaces. There will be a change in the composition of open space on the site including a moderate loss of ‘natural green space’, although in the main the spaces lost are either inaccessible or underused and poorly related to the existing estate. In this regard the main losses of open space are; i) the overgrown embankment in front of the present industrial estate which will make way for the re-levelling works; ii) the grassy embankment next to Allensbury Place which will make way for block J; and iii) the informal patch of amenity space next to York Way on the north side of the block 2-16 Maiden Lane (as proposed to be demolished). In terms of the overall quantum there will be a very minor net increase.

6.120 Correspondingly, there will be an increase or improvement in the following open spaces in the development-

- i) increase in children’s playspace together with other ‘playable’ amenity space to reflect the expected child yield of 105 for the proposed development;
- ii) increased ‘civic space’ in the form of the landscaped east-west principle pedestrian route and the widened pavement on York Way;
- iii) an overall larger and better functioning civic and amenity space comprising St Thomas Place including removal of level changes and retaining walls to make the space more useable/playable.

The comparison between the existing and proposed areas for the main open-space types is set out in the first two columns of table 6 below. The respective totals for the different open space types on the remainder of the estate are also set out for information.

**Table 6: Existing and Proposed Open Space**

	Existing Site (sqm)	<b>Proposed Site (sqm)</b>	Existing estate (to remain) (sqm)
Childrens Play	238	<b>667</b>	1095
Amenity (soft)	1165	<b>1149</b>	7042
Civic (hard surfaced)	1679	<b>2673</b>	3168
Natural green	3421	<b>2154</b>	588
<b>TOTAL</b>	6502	<b>6643</b>	11,893

6.121 In terms of the policy requirement for the provision of public open space to serve the needs of developments, Table 7 below demonstrates the requirement generated by the Maiden Lane proposals having regard to the methodology set out in figure 5 of CPG6. Comparing the total figure of 4,413sqm reflected in table 7 with the table above shows that the proposed 6,643sqm public open space within the development is more than sufficient to meet the policy requirement. The total shown in the last column (7,174sqm) reflects the equivalent CPG6 calculation for the remaining estate and the existing open space outside of the site red line area

and should be compared to the 11,893sqm figure in the last column of the table above. This demonstrates that even with the proposed development in place there is ample open space provision for the needs of the existing estate as well as the proposed development.

**Table 7: Open Space Requirement (proposed uses)**

	Open Space Requirement per home (sqm)	Open space requirement per 1,000 (sqm)	Required Open Space (sqm)	Existing estate (to remain) Requirement (sqm)
Residential				
97 x 1 beds	11.7		1134.9	241x1bed 2820
125 x 2 beds	17.0		2125	99x2beds 1683
35 x 3 beds	25.2		882	85x3beds 2142
8 x 4 beds	27.9		223.2	19x 4+beds 530
Commercial				
1,240 sqm (GEA)		38.9	48.2	
TOTAL			4,413	Total = 7,174

- 6.122 A holistic view of open space provision for the Maiden Lane Estate should also be taken in qualitative terms. In this regard it is intended that the proposed development will form the first stage of a comprehensive strategy to integrate with the wider estate over the coming years. Although not forming part of the current application the submitted draft Public Realm Strategy sets out a plan for the whole estate for information purposes. The strategy illustrates how the landscape design and open space provided as part of this first phase of the Maiden Lane Estate renewal, is integrated with a scheme to deliver a significantly enhanced environment for the estate as a whole. This is likely to be wholly or partly funded out of the returns from the development.
- 6.123 Therefore whilst the increase in the quantity of open space provision to accompany the significant increase in density of uses proposed is negligible, there is ample open space already available throughout the estate as a whole to serve the needs of both the existing estate and the proposed development. All of the existing open space within the site itself is to be either retained and enhanced, or re-provided so as to relate better to the built development proposed. In overall terms the loss of 'natural green space' can be considered more than compensated for by the additions elsewhere and the qualitative enhancements and improved accessibility of the re-provision. In order to ensure the opportunity is fully taken to maximise improvements and that the proposed use of materials, re-planting and landscaping is acceptable it is recommended that appropriate conditions are attached to secure the full landscaping details for approval.
- 6.124 In as far as there is no net loss of open space overall on the site the lost area of designated open space is considered to be justified for the purposes of policy CS15 and sufficiently well related in terms of quantity, quality and location to satisfy the end-user demands from the proposed development. The specific considerations raised by the public realm proposals regarding inclusive access, community safety, trees and biodiversity are addressed in the subsequent sections of this report.

## **Accessibility**

- 6.125 The internal parts of the residential accommodation will be made accessible to all through the provision of full Lifetime Homes standards for all flats and provision of 10% wheelchair housing in line with policy DP6 (see 'Housing' section above). The commercial units will also be provided with a suitable level of access with level thresholds and adequate entrance/circulation areas.
- 6.126 In regard to the external parts of the development the main issue is addressing the significant level changes on the existing site and between the estate and York Way. Level access into the estate will be provided as at present via Broadfield Lane. The proposed pedestrian access into the estate towards the south on York Way is an integral part of the new principle pedestrian route to be created via Allensbury Place and opening up the estate to the south and east. Due to the pronounced level change at this point there is insufficient room for a wheelchair accessible ramp and instead a stepped access is proposed together with a lift. The principle of the steps and lift is accepted as a suitable and pragmatic means of overcoming the level change at this point and given the alternative level access provided by Broadfield Lane.
- 6.127 The lift would be provided internally within block A and access via the reception area from York Way (lower ground level) or a side access door at upper ground level. A 24 hour concierge will be present in the reception area who will be able to operate the controlled access to the upper floor level and facilitate access to the lift. Residents with disabilities who are regular users of the facility will be provided with limited access passes to access the upper ground floor area and use the lift so that they are not solely reliant on this requirement. The lift will therefore be accessible 24/7 and the proposals are such that only those non-residents without passes would need to call for assistance. The detailed arrangements in this respect including the provision of a call facility for non pass-holders and adequate signage would be incorporated into a 'community access plan' to be secured as part of the Shadow S106.
- 6.128 The proposed steps incorporate a buggy/bicycle ramp but the detail as currently submitted does not indicate any provision for handrails which are needed on either side of the steps to make them accessible for all. The detailed design of the steps, handrails and contrasting nosing should all be secured as a condition to any permission granted.
- 6.129 Broadfield Lane and Allensbury Place are proposed as shared surfaces and will also provide provision for car parking for disabled (blue badge holders) and existing estate residents. Such arrangements can cause confusion and do not always provide a safe space for pedestrians, especially if the delineation between 'road' and 'pavement' is not clearly marked. Since this is not a heavily trafficked estate, a shared surface approach is likely to be more successful. It would help reduce vehicle speeds in the estate as well as creating spaces between buildings rather than just roads, but would provide a 'safe space' access route to the disabled units from the disabled parking spaces. It is considered that the marking out of such a route could be achieved through use of tactile and/or contrasting paving. An

appropriate condition is recommended to require that details of the relevant surfacing materials, contrasting colours and use of tactile surfaces are submitted for prior approval in order to ensure that such a strategy is successful.

- 6.130 In regard to disabled parking, 6 additional bays, to the existing parking provision, are proposed – this being the maximum that can be provided on site without impacting on other amenity space including children’s play areas. The GLA has requested that further discussion take place to explore the potential of this being increased in line with TfL’s 1:1 parking standard for wheelchair accessible units which would equate to a minimum of 20 required. The applicant has sought to justify the proposed provision on the basis that experience within the Housing and Adult Social Care department is that not all households are likely to have a car. Increasing the provision of accessible parking would impact on existing parking provision which is fully taken up by residents living on the estate and in possession of valid parking permits. Existing provision comprises 16 on-street residential bays and the loss of these would be strongly resisted by residents. Current assessment is that the proposed provision would meet likely demand but as part of the Travel Plan this could be reviewed and additional provision made if required specifically to meet a requirement by a resident with accessibility needs. Whilst this may not be an acceptable arrangement in all cases, the affordable housing and parking across the estate (including both the new and existing) will be managed by the Council so there is full control over the ability to deliver additional spaces in response to demand, if required. On this occasion it is considered that the applicant has gone as far as reasonably required to meet TfL’s standard and the 6 blue badge spaces proposed are acceptable.

### **Community safety**

- 6.131 Policy CS17 states that the Council will aim to make Camden a safer place. Various measures can be employed to achieve this, such as encouraging appropriate security and community safety measures in buildings and spaces, requiring developments to demonstrate that they have incorporated design principles which contribute to community safety and security, promoting safer streets and public areas; and addressing the impact of food, drink and entertainment uses.
- 6.132 The submitted design has embodied key principles to create natural surveillance throughout the estate such as creating front doors on the street frontages, secure rear gardens, parking and amenity spaces designed to be viewed from dwellings. The technical specifications of buildings and units will be designed to meet the requirements of Secured by Design in all tenures.
- 6.133 A particularly welcome feature in the development is the easily legible pedestrian route created from the south eastern corner on York Way through to Allensbury Place which improves greatly upon the existing ease of movement and sense of security within the estate.
- 6.134 Notwithstanding the above, it is noted that the Metropolitan Police Crime Prevention Design Advisor has raised issue with certain aspects of the design, namely the occurrence of a number of recesses such as building overhangs

reducing surveillance of the façade below; the one way route to be created around the estate that could be open to abuse, e.g. by mopeds using as a racetrack; and certain blind spots such as at end elevations which despite the placement of windows may still not be sufficiently overlooked. These points are addressed in turn:

- 6.135 Recesses – the main occurrence of such an issue would be the York Way frontage which has column support / recesses arising from a colonnade design approach. Such an approach is considered appropriate given that York Way is a busy thoroughfare. Such a design element may well be more of an issue on secluded areas of the scheme but this is not the case. Whilst the column dimensions are 850 x 400mm there is an opening between the column and the main building façade measuring 950mm which accentuates the arcade or colonnade effect of the design proposals in this area enabling views along the ground floor frontage.
- 6.136 One-way system – this was devised in order to facilitate the tracking of refuse vehicles and enable ease of parking/manoeuvring. It will be a shared surface and heavily landscaped. Traffic calming is provided at various locations, including the corners. The combination of landscaping and traffic calming proposed is considered sufficient to mitigate against any potential abuse of this route by drivers of any vehicle types. The full details of these measures would be subject to further scrutiny in the course of approvals of details. However the space can continue to be monitored and additional traffic calming added subsequently if found necessary in the future.
- 6.137 Blind spots - Gable ends elevations have been designed to incorporate windows and in some cases with entrances in order to maximise natural surveillance and activity along the public realm. These have been also designed in relation to natural surveillance created by existing homes neighbouring the proposed buildings. Another significant design element that will help to ensure crime prevention, is the clear definition between private and public spaces. The design makes provision for private defensible spaces not only for the proposed residential units but also for existing homes that define key routes and spaces within the development in order to minimise the potential for anti-social behaviour. An opportunity to consider such aspects of the proposals in more detail would be provided by the recommended landscape conditions. It is also recommended that a condition is attached to secure details of CCTV, external lighting, lighting of entrance areas and control of access points to help promote a sense of security on the site generally.
- 6.138 In view of the above, it is considered that the proposed design has achieved an acceptable balance between the often competing priorities of access, security, aesthetic and other practical considerations and as such meets relevant policies.

### **Neighbourhood Amenity**

- 6.139 Policy DP26 seeks to protect the quality of life of neighbours from development. A number of concerns have been raised during consultation about the impact of the scheme, during and after construction. These can be largely grouped as follows:
- Daylight and sunlight (and outlook)
  - Privacy and overlooking

- Construction and demolition impact
- Impact on local wind environment

### **Daylight and sunlight**

- 6.140 In relation to daylight and sunlight, DP26 refers to the tests and standards detailed in the BRE document *Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice*.
- 6.141 The development has been designed to mitigate its impact by stepping up towards the south and east of the site so that the tallest buildings sit adjacent York Way. This not only makes sense in design terms but also mitigates the impact of these by placing the lower blocks next to the existing residential blocks of the estate. The LDF only considers day light and sunlight impacts on dwellings. There are no residential properties on York Way which stand to be affected, however the submitted sunlight and daylight study includes these in its assessment of surrounding buildings.
- 6.142 The assessment looks first at Vertical Skylight Component (VSC) which measures the potential for good daylight to a given point on a building façade. This does not measure actual daylight accessing a room but is a good indication of the potential of a development to have an impact on light conditions. BRE advises that if there is a reduction below 27% VSC and the ratio of impact is more than 20% (i.e. the VSC is reduced to less than 0.8 its former value) then there is the potential for a neighbouring property to experience noticeably poorer light conditions. The results of this stage of the assessment indicate that there is a potential impact on:
- 200 York Way
  - 186-194 York Way
  - 57-87 Maiden Lane
  - 1-70 Broadfield Lane
  - 7-15 Allensbury Place
  - 104-107 Maiden Lane
- 6.143 The second stage of the daylight assessment looks at the Average Daylight Factor (ADF) which is the measurement of actual light level within a room. This takes account of the window size and room size as well as existing and proposed obstructions which limit the amount of light reaching it. The BRE minimum recommended ADF criteria is:
- kitchens 2%
  - living rooms 1.5%
  - bedrooms 1%
- 6.144 Except for some kitchens all the rooms assessed in the 6 buildings tested either met the minimum ADF standards or suffered less than a 20% reduction in their ADF value which is not a sufficient amount to be readily noticeable. The kitchens that failed the standard are all in 1-7 Broadfield Lane and are only 4sqm in area which would not be large enough for them to be considered as habitable rooms. No other assessed rooms in this building were affected since all habitable rooms in this block face away from the proposed development.

- 6.145 Whilst the commercial buildings on York Way that were subject to this more rigorous test would not normally be protected under policy DP26, the assessment nevertheless recorded ADF values of over 2% to all rooms tested. This would be more than sufficient to enable their possible future use as residential were this to be considered in future.
- 6.146 Sunlight impact has also been assessed for all south facing facades that have been identified as being partially obstructed by the development. Within the existing estate the only blocks that this would apply to are 57-87 and 89-91 Maiden Lane, with the other affected buildings being on York Way. The results of the sunlight assessment record only one instance of failing the BRE criteria and that being a window in 200 York Way out of a total number of 68 tested overall.
- 6.147 The impact of the development on existing residential amenities can therefore be considered very slight in terms of sunlight and daylight.
- 6.148 Closely related to matters of sunlight and daylight is the perception of an added sense of enclosure and this too can have an impact on residential amenities. Added sense of enclosure can arise from the proximity of new development and loss of outlook. The blocking of 'views' from private dwellings, although frequently giving rise to objection, is not something that can always reasonably be guarded against, especially in an urban context given the need for efficient use of land. Therefore in order to be considered un-neighbourly or oppressive a development will normally be in such proximity as to have a detrimental impact on daylight or sunlight. This is especially relevant to the relationship of the proposed blocks B&C with the existing block on Alconbury Place as referred to in objections to the application. This relationship is such that the outlook experienced by occupiers of the flats in closest proximity to blocks A&B will be compromised by the adjacent flank wall to this part of the development extending 9 metres beyond their rear building line. Although not directly adjoining there is a distance of only 2 metres between the two blocks.
- 6.149 The proposed building layout of blocks A & B and its proximity to Allconbury block makes sense in design terms in uniting the development with the rest of the estate and following the established building pattern of the estate as a whole. Whilst there will be a certain sense of enclosure arising from this relationship, it should be borne in mind that these existing flats benefit from extensive and far reaching views to the south across the railway, which will be only partially curtailed by the proposed flank wall to the east. Furthermore, there is no material adverse impact on sunlight or daylight experienced and therefore the added sense of enclosure can be accepted in this case.

### **Privacy and overlooking**

- 6.150 The planned relationship of the new development with the existing estate is such that there are no directly facing rear habitable room windows between the existing and proposed blocks. Proposed blocks G and F will face the existing block at 1-7 Broadfield Lane from across the street which is relatively narrow (10m), but such a relationship is readily acceptable and an established part of the urban fabric.

- 6.151 There have been some objections received from residents of St Pauls Mews and Agar Grove that their rear gardens would be overlooked, however the nearest block to these is the northern-most block 'I', which is 5 storeys and positioned at least 20 m away from the closest of these gardens. Furthermore the balconies to this block are located at the front overlooking York Way and not the neighbouring gardens. It is therefore not considered that this relationship is in any way oppressive.
- 6.152 As for the taller blocks of the development, they are positioned well away to the south and any overlooking would be from a considerable distance and at an oblique angle. There is not considered to be any harmful impact on the privacy of existing residents arising from this proposal.

### **Construction and demolition impact**

- 6.153 A number of existing residents have raised concerns about noise and disturbance during construction as well as instability/structural problems arising from vibration. A construction management plan would be secured for the development as part of a Shadow S106 agreement accompanying any grant of permission. This would set maximum noise levels as well as times of working to take into account the needs of existing residents.

### **Local wind environment**

- 6.154 The application was accompanied by a Wind Desktop Analysis. This indicates that whilst wind speed around the base of block A does increase due to the height of the building it would still be maintained within acceptable benchmarks as required for pedestrian safety and comfort. The study does not recommend any mitigation measures to be required. Since the building heights step down towards the existing estate the impacts on the microclimate affecting existing residential amenities would be limited.

### **Community facilities and education**

- 6.155 In addition to the amenity impacts discussed above, a development of this size also has the potential to impact considerably on the social infrastructure of the neighbourhood including local community facilities, health and education. Policy CS19 of the Core Strategy requires such impacts to be considered in assessing major applications. CPG 8 (Planning Obligations) sets out the circumstance in which financial contributions may be payable and how they are to be calculated.
- 6.156 Both education and community facilities may be more appropriately addressed by financial contributions as it is not always desirable or appropriate to provide such facilities on the site itself. In terms of healthcare, Councils have now assumed responsibility for healthcare provision within their own areas in place of Primary Care Trusts, and it is currently the intention that this Council-own scheme makes provision to serve the wider area with premises for a new health centre in block H to replace the facility which closed at 142 Camden Road in April 2012. Whilst this cannot be guaranteed at present, it is not sought to require any further contributions specifically towards the provision of health care in this instance.
- 6.157 Policy CS10 addresses community facilities generally and seeks to ensure a wide range of services and facilities to meet community needs including education and



childcare, health facilities, community halls/meeting rooms, youth facilities and other forms of provision, which are often inter-related. The socio-economic analysis of Maiden Lane Estate as set out in the applicant's submitted Planning Statement has identified a number of priorities for the area. There is demand for educational and training courses from young people and others which the Maiden Lane Community Centre is trying to fulfil. The Centre currently runs training courses from its existing premises on Maiden Lane Estate aimed at improving basic skills including ESOL and computer literacy, and the centre's trustees have identified training and employment as a key issue for the Community Centre to tackle during the next three years. They have sought funding to work with key strategic partners to undertake a comprehensive needs analysis and develop a way forward. There has also been a growth in recent years in the Maiden Lane area in green and environmental activities such as learning how to grow food and revitalise under-used green spaces. The Maiden Lane Community Enterprise (MLCE) is a local social enterprise and currently holds the grounds maintenance contract for the estate. It wishes to expand by taking on more workers and gaining outside contracts.

- 6.158 The Council's Regeneration Team have recommended that the development make a financial contribution to help fulfil the above needs based on the CPG8 guideline of £980 per bedroom. A contribution of £465,000 is therefore sought to be spent over an 8 year period and awarded to the Maiden Lane Community Centre in order to address the following:
- mitigate the affect of the increased use projected by the additional residents on the Maiden Lane estate by the Maiden Lane Community Centre (revenue funds)
  - use on capital projects/maintenance of the Maiden Lane Community Centre
  - provide a community chest to be spent on local groups and organisations within a half mile radius of the Maiden Lane Estate. This will be used to seed-fund or support existing projects and organisations that provide services benefiting the residents of the Maiden Lane Estate.
- 6.159 Education contributions are also being sought in line with policy CS19. CPG8 identifies that affordable housing (where the Council has 100% nomination rights) usually houses children which are already resident and educated in the borough and therefore those children are only likely to contribute marginally to existing school pressures. Therefore the education contribution is calculated on the basis of market and intermediate tenure housing only.
- 6.160 The contribution would therefore be sought on the basis of the proposed 80x2-bed and 5x3-bed units and would total £208,650.
- 6.161 The above contributions would be included in the Shadow Section 106 agreement to accompany any permission granted.

### **Transport and Servicing**

- 6.162 The site has a PTAL rating of 2 (poor), which suggests that it is not easily accessible by public transport. However, it is arguable that the PTAL rating is an under-representation of public transport accessibility in this case as the site can be accessed by bus routes 274 and 393 from Agar Grove and 390 from York Way. In

addition, Caledonian Road and Barnsbury Station (Overground) is located 825 meters to the east, Caledonian Road (Underground) is located 975 metres to the northeast and Kings Cross Station (National rail and underground), and St Pancras International Station (Eurostar, national rail and underground), are located approximately 1,250 metres to the south of the site.

- 6.163 Parking within the estate is managed by Camden's Housing Department, whilst the surrounding roads are covered by a CPZ.
- 6.164 The proposals include a reorganisation of the existing estate access from York Way with a new vehicular access being created to the north of the existing Broadway Lane access on York Way. A one-way circulatory route for cars and service vehicles would be designed on 'Home Zone' principles to create an improved pedestrian environment along with new routes to enhance east-west links for pedestrians. These aspects are considered in more detail below.

*Transport impact*

- 6.165 A draft Transport Assessment (TA) was provided in support of the planning application. The trip generation calculations have been based on a TRAVL survey of the site in comparison with similar sites (existing and proposed uses) elsewhere in London. This is acceptable. It is noted that the proposed uses would generate less motor vehicle trips when compared to the existing use (20% during morning and evening peak periods; 40% over a 12 hour day) due to the car-free nature of the scheme which is welcomed in terms of Camden's sustainable transport policies and air quality.
- 6.166 There will be a 99% increase in pedestrian trips, however it is noted that the proposal includes highway and public realm improvements for the York Way frontage of the site. Similar improvements are also proposed for Broadfield Lane and Allensbury Place; a Home Zone approach will improve road safety by reducing speeds and giving priority to pedestrians and cyclists. In addition, the proposal includes improvements to existing pedestrian routes within the site as well as the creation of some new ones. This will include improved access to the site for pedestrians with at least 2 new pedestrian routes linking the site to the footway on the western side of York Way. The proposals are therefore considered to fully mitigate any impacts the predicted growth in pedestrian trips would have on the surrounding highway network.
- 6.167 The proposals would generate additional trips on local bus services. TfL has raised concerns that the proposals would create a crowding issue at the bus stops for route 390 on York Way. A financial contribution of £450,000 has been requested by TfL to cover the cost of introducing an additional peak period service for a 5 year period. In addition, a further £20,000 has been requested for undertaking an audit of bus stop 'P' (southbound opposite the site) and identifying a schedule of works required to upgrade it to current accessibility standards. The proposal includes relocating bus stop 'Q' (northbound outside the site) slightly in order to accommodate a proposed loading bay on the west side of York Way. TfL have not raised any objection to this subject to adherence of the works with current accessibility standards. TfL has not identified any concerns with regard to bus route 274. It is considered that subject to the requested contributions, the proposals

will fully mitigate its impacts on existing bus services. The contributions would be secured as part of a Shadow Section 106 Agreement accompanying any permission granted.

- 6.168 A draft Travel Plan has been provided which covers all the proposed uses of the development. This appears to address all the relevant criteria. A full Residential and Work Place Travel Plan to satisfy DP16 and Camden Planning Guidance and CPG7 (Transport) would need to be secured by the Shadow S106. The applicant would also be required to undertake a TRAVL after study and provide TfL and Camden with the results on completion of the development. This is in order to assist TfL in updating the TRAVL database and would also be secured under the Shadow S106.
- 6.169 Given the significant level of pedestrian trips associated with the development while also acknowledging the commercial uses as potential places of interest, it would be desirable to provide some Legible London signs in the vicinity of the site. TfL has requested a financial contribution of £15,000 towards the provision of 2 Legible London signs adjacent to the site which is considered justified in view of the increased trips.
- 6.170 In order to help address a projected increase in cycle trips from the development, LB Camden and TfL have agreed a scheme for a Cycle Hire scheme within the development. A financial contribution of £130,000 would be appropriate to cover the costs of providing a docking station with capacity of 24 Cycle Hire bicycles which is seen as appropriate.

#### *Cycle parking*

- 6.171 The applicant is proposing to locate 341 cycle parking spaces at various locations throughout the site. This includes 301 covered and secure spaces for the residential units, with a further 12 spaces to be provided for the commercial uses and 16 in the form of Sheffield stands on the York Way frontage. This provision is significantly higher than the Camden LDF minimum requirement, however is in line with the TfL cycle parking standards which should normally apply, especially in bigger schemes such as this. These cycle parking facilities are to be provided within covered and secure cycle stores located within the various buildings. The proposed layouts appear to be acceptable in terms of access requirements, however, it is not clear what type of cycle parking facility is being proposed. It is therefore recommended that the details of the cycle parking facilities be secured through a planning condition. Such details would need to be in accordance with Camden Planning Guidance; specifically the cycle facilities section of CPG7 (Transport).

#### *Car parking*

- 6.172 The development is to be car free with the exception of 6 disabled parking spaces and 2 car club bays. The applicant is willing to enter into a 3 year agreement with the local Car Club operator and this is welcomed. The proposal also allows for the retention of 16 existing car parking spaces which are to be relocated in order to facilitate the proposed landscaping works throughout the site. The car parking proposals would form part of the Home Zone approach for Broadfield Lane and Allensbury Place. The applicant is willing to enter into a permit free agreement

which means that all residents and commercial occupiers (e.g. staff) of the development will not be permitted to request on-street or estate parking permits. The disabled parking spaces would be reserved for the sole use of disabled residents in possession of a blue badge and this should be secured by a condition.

- 6.173 TfL have requested that Electric Vehicle Charging Points (EVCPs) be secured in line with the London Plan minimum standards. The provision of 3 EVCPs would allow all 6 disabled parking bays to have the potential to be used by electric vehicles. The applicant has agreed to this in principle and this would be secured within the Shadow S106 Agreement.

#### *Servicing*

- 6.174 The draft Transport Assessment includes a Delivery and Servicing Strategy. This describes how refuse and recycling collections will be undertaken. The proposals are broadly similar to the existing arrangements except that some collections would be taken from the York Way frontage to the site where this would be easier. Turning movement diagrams have been provided to demonstrate that Council waste and recycling collection vehicles will be able to access the site and manoeuvre within the site in a safe manner. The strategy for waste and recycling collections is acceptable in transport terms.
- 6.175 Servicing for the commercial units would be carried out from a loading bay on the highway in front of block H. This is considered suitable to accommodate the everyday servicing needs of these units. However, servicing could also take place directly from the west side of York Way if there are occasions when the proposed loading bay is already occupied. Indeed it may prove more convenient for the commercial units within Blocks D and E to be serviced in this way.
- 6.176 A Delivery and Servicing Management Plan (SMP) would need to be approved by Camden prior to occupation of the site. This should be in line with the guidance contained in CPG7 (Transport) and in particular should include arrangements for deliveries to be staggered (e.g. no more than 2 deliveries per hour); routes to be used by delivery and servicing vehicles; and provision for emergency vehicles up to the size of a fire tender to be able to manoeuvre through the site.

#### *Construction management*

- 6.177 Given the scale of the development, a full Construction Management Plan (CMP) would need to be approved by Camden prior to works commencing on site in line with CPG6 (Amenity) requirements for CMPs.

#### *Public realm improvements*

- 6.178 Public realm improvements are proposed both within the site and in the form of the footway widening to York Way, which has been included within the site red-line boundary for this specific purpose.
- 6.179 Within the site, the proposal to include a shared surface scheme based on a Home Zone approach on Broadfield Lane and Allensbury Place is seen as a significant benefit in helping make the estate roads more pedestrian and cyclist friendly being designed primarily for those users rather than motor vehicles. The proposals would also include improvements to existing pedestrian routes within the site as well as

the introduction of new pedestrian routes. This would include the provision of 2 new pedestrian routes linking the site with York Way. The details of material specifications and detailed layout arrangements would require further development and discussion with Camden's Transport Strategy Service and this could be progressed via an approval of details condition attached to any grant of permission.

#### *Highway works*

- 6.180 The proposed servicing arrangements including relocation of an existing bus stop, new and amended vehicular accesses from York Way, pavement widening and other related works would all need to be undertaken to the required specifications of Camden's Transport Design Team. The principle of these works has been previously agreed with Camden Transport Officers, although a Transport Management Order would be required for the amended bus stop and junction arrangements which will require a separate consultation locally to be undertaken by the Council.
- 6.181 Discussions are ongoing between the applicant's Design Team and our Transport Design Team within the Transport Strategy Service. The highway and public realm improvement works will include the following items:
- Amendments to the existing vehicular access to the site
  - Provision of a new vehicular egress from the site
  - Consideration of entry treatments at the vehicular access/egress points
  - Provision of a new inset loading bay
  - Relocation of the existing bus stop and associated street furniture
  - Provision of a new bus shelter if appropriate
  - Repaving of the footway on the west side of York Way
  - Provision of cycle parking facilities, benches and other street furniture
  - Provision of Legible London signs
  - Provision of new trees on the footway
  - Provision of a new Cycle Hire docking station (might need to be introduced as a separate scheme)
  - Street lighting, traffic signing and road-marking amendments
  - Amendments to parking restrictions to facilitate the access improvements, the proposed loading bay, and the relocated bus stop
  - Provision of public realm improvements underneath the railway bridge on York Way; this would improve public safety at this location
- 6.182 A financial contribution would need to be agreed to cover the cost of the above works, including all associated fees (e.g., consultation and design costs). As at the time of concluding this report a quote for the works is still in preparation. This will be confirmed by Camden's Transport Design Team closer to the date of committee and included in the Shadow S106 agreement.

#### *Summary of transport issues*

- 6.183 The proposals are acceptable in transport terms subject to the following matters being secured by condition and/or shadow S106 Agreement:
- car free housing
  - Provision of 6 fully accessible car-parking spaces retained for registered disabled users only

- 3 electric vehicle charging points to form part of the on-site disabled car parking provision
- 341 cycle storage/parking spaces details of which will need to be submitted and approved
- Construction Management Plan (CMP)
- Servicing Management Plan (SMP)
- Residential and Work Place Travel Plan
- Financial contribution of £5,561 to cover the costs of monitoring and reviewing the Travel Plan for a period of 5 years.
- Financial contribution of £15,000 towards the Legible London scheme.
- Financial contribution of £130,000 towards the Cycle Hire scheme
- Financial contribution of £450,000 towards bus service improvements
- Financial contribution of £20,000 towards accessibility audit in respect of bus stop 'P' on the southbound side of York Way (Route 390)
- Financial contribution to cover the cost of highway and public realm improvement works adjacent to the site on York Way. This condition should also require plans demonstrating interface levels between development thresholds and the Public Highway to be submitted to and approved by the Highway Authority prior to implementation.

### **Sustainability and Energy**

6.184 London Plan climate change policies in chapter 5, Camden's Core Strategy policy CS13 and Development Policies DP22 and DP23 require all developments to contribute to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage. In order to address these requirements the applicant has submitted an Energy Strategy and a Sustainability Statement including BREEAM and Code for Sustainable Homes (CfSH) pre-assessments.

#### **Climate change mitigation**

6.185 The overall approach to reducing CO2 emissions should be through a range of measures in line with a 3-step hierarchy of i) using less energy; ii) supplying energy efficiently; and iii) using renewable energy. The benchmark used is the Part L 2010 Building Regulations over which a 25% improvement should be achieved in the period 2010-2013. The submitted energy strategy sets out to identify how this target can be achieved and meet the necessary requirements for CfSH Level 4\* and BREEAM excellent for the non-residential areas in the energy category.

6.186 For the dwellings, proposed energy efficiency measures include a well insulated building fabric, high levels of air tightness and mechanical ventilation with heat recovery. Both air permeability and heat loss parameters will be improved to achieve an overall reduction in dwelling CO2 emissions of 13% beyond the 2010 Part L baseline.

6.187 The non-residential parts of the development will have the same fabric specifications as the rest of the buildings and would achieve a reduction of 29% emissions compared to the baseline.

- 6.188 London Plan and Camden policy seeks to prioritise decentralised energy. The applicant has identified that the Kings Cross district heating network is within the vicinity of the development, however a busy railway line provides a physical barrier making connection unfeasible at present. The development therefore proposes to utilise an independent heating network which will be available to extend the Kings Cross network should this become feasible in the future. There are also advantages to an independent network in terms of flexibility for extending this to include the existing Maiden Lane Estate in a second phase scheme without third party negotiations.
- 6.189 The proposed approach for the heating network is for a gas CHP led system with gas boiler back-up to serve the residential areas of the development. The CHP unit sized to deliver a 60% heat load with a heat to power ratio of 1.55:1 would enable a further 38% CO<sub>2</sub> emission reduction for the dwellings.
- 6.190 The non-residential parts of the development would have independent efficient heating, ventilation and air conditioning systems supplemented by roof mounted solar photovoltaic (PV) panels to meet the third step of the London Plan energy hierarchy. The PV's would be sited on the roof of block A, the tallest building which is free from any overshadowing and comprise a 10kWp array covering approx. 70m<sup>2</sup>. This would achieve an additional 13% reduction in emissions for the non-residential parts equating to 1% of emissions site wide.
- 6.191 Total site wide CO<sub>2</sub> emission reductions for the dwellings would be 152,200kg (46%) and 18,000kg (38% reduction) for the non-dwellings. This would amount to total site regulated and unregulated CO<sub>2</sub> emission reductions of 223,600kg, or 31% which is more than sufficient to comply with London Plan and LDF requirements.
- 6.192 The GLA have requested confirmation that all apartments and non-domestic uses will be connected to the site network. A drawing has been submitted by the applicant to show the ducting routes that would be put in place to each block including provision for any future connection to a district wide system in the future. This is considered acceptable.

*Replacement of the existing estate energy centre*

- 6.193 Use of the existing energy centre at Maiden Lane was ruled out at an early stage it is in need of investment and not ideally located. It is therefore intended that the proposed new facility should be scaled to serve the whole of the Maiden Lane development to ultimately replace the existing facility.
- 6.194 A transition from the old to the new energy centre is therefore intended as a second phase to the new energy centre subsequent to its commissioning for the new development. Because of the phasing of the development (both new build and renewal of existing services) it is likely that separate CHP boilers will serve different element of the overall estate. So in the first instance a boiler will be installed to service the new development, with further plant being installed in phases to service the refurbished retained stock as it comes on line. This approach forms a fundamental part of the wider energy strategy for the Maiden Lane estate. Environmental effects have been calculated on the worst case position, when the new development is completed, and so will improve as subsequent phases come

forward. The new facility is therefore likely to be cleaner, more efficient, and deliver increasingly higher levels of CO2 reductions than the existing facility.

### **BREEAM and Code for Sustainable Homes**

- 6.195 The applicant has confirmed that the proposal would achieve Code for Sustainable Homes (CFSH) level 4\* for the residential units and a pre-assessment report has been submitted with the application. For the commercial and business units BREEAM 'very good' would be targeted, however since no specific use or fit-out strategy has been agreed for these units at this stage, it is premature for a BREEAM pre-assessment to be completed.
- 6.196 Camden Planning Guidance (CPG3 2011) sets target ratings in various subcategories for BREEAM and CfSH. The CPG expectation is that percentage targets of 60:60:40 are achieved for BREEAM and 50:50:50 are achieved for the CfSH in the Energy/Water/Materials subcategories respectively.
- 6.197 The submitted CfSH pre-assessment targets 59% of available credits in energy and 67% in both energy and water which is in excess of all the relevant CPG targets and is welcomed in line with policies CS13 and DP22.
- 6.198 The indicative BREEAM assessment submitted at this stage states a commitment that all the relevant CPG3 target scores would be achieved by the commercial and business elements.
- 6.199 A subsequent BREEAM pre-assessment and post construction assessments for both the residential and non-residential parts of the development should be secured by the Shadow Section 106 agreement to accompany any grant of permission.

### *Reducing water consumption and runoff*

- 6.200 Water consumption within the development is aimed to be reduced through devices such as low flow taps and showers, small baths and dual flush WCs. Externally a system to collect rainwater for irrigation of communal garden spaces is proposed.
- 6.201 Greywater recycling was investigated in line with CPG3, however this has not been deemed feasible for a scheme of this size.
- 6.202 The submitted CfSH pre-assessment has at this stage not anticipated the incorporation of any sustainable urban drainage schemes (SUDS) in the development. However the applicant has agreed to addressing the risk of on-site surface water flooding in the development by the use of a Sustainable Urban Drainage System (SUDS) in response to the request for such by the Environment Agency. This is welcomed.
- 6.203 A key part of any SUDS scheme would be the green and brown roofs proposed throughout the site. These will also have a positive impact on the biodiversity of the site (see below).

### **Biodiversity and Trees**



- 6.204 The site lies adjacent to a locally designated site of nature conservation importance (SNCI) which encompasses a belt of trees and scrubland adjacent the railway embankment. Although none of the site itself falls within this designation, some of the existing green areas of the site run contiguous with this and therefore are of some nature conservation value. Together they form part of the green corridor which runs along the railway, providing valuable habitat and movement for flora and fauna which is reflected in the LDF allocation of this as designated open space. In order to assess the existing biodiversity value of the site and to address policy CS15 which requires developments to have a positive affect on biodiversity, the applicant has submitted an ecological survey of the site along with an arboricultural assessment.
- 6.205 The submitted study (Greengage, 2012) finds that the potential for wildlife habitats on the site as existing is limited and that overall it has low conservation value. The most significant potential (identified as 'low-moderate') is to provide habitat for nesting birds and therefore site clearance works should be undertaken outside of the march-october breeding season. The conclusion of the study is that taking into account the various proposed ecological enhancements to feature within the scheme there should be the potential for positive impacts, improving the on-site ecology.
- 6.206 The proposed package of ecological enhancements include green and brown roofs and other features such as bird and bat boxes. It has been confirmed by the applicants landscape architects in email correspondence during the application assessment that there is scope for over 50% of the roof space to comprise green/brown roofs after allowing for necessary roofplant/services and pv panels and therefore this figure should be targeted as part of any condition that would be imposed in order to secure the provision of such features. The ecological study specifies an 'extensive living roof' for this purpose that will comprise a wildflower and grass vegetation blanket with specially selected species of known wildlife value. The particular benefits of this type of biodiversity roof system will form a key component in the strategy for improving the biodiversity of the site as a whole and should be clearly specified in the condition securing this. The proposed planting within the amenity spaces of the development is also intended to comprise native and wildlife friendly tree and plant species and would also be secured by condition.
- 6.207 The main areas of natural green space proposed to be removed is the band of trees and scrub which runs along York Way screening the existing industrial estate and the small patch to the south of the site which will make way for block J. The area to be occupied by proposed block J is currently mown grass providing little habitat value. The stretch of planted area along York Way is also of limited value since it is rather an anomaly in relation to the remainder of the designated open space as it runs perpendicular to the railway and does not link up with any other greenspace. In terms of its loss, it is not considered overly detrimental and the various biodiversity measure proposed to be built in to the development (bird/bat bricks/boxes), should adequately compensate for the area of open space to be lost.
- 6.208 The southern border of the site in particular is ideal for enhancement as a green corridor linking with the adjacent SNCI. The proposed building layout allows for the majority of the existing dense scrub and scattered trees in this area to be retained

within the development. Details of a landscape scheme to secure such enhancement would be expected to form part of the detailed landscaping for the proposal site as a whole which would, again, be made the subject of an appropriate condition.

- 6.209 Wildlife legislation requires that special provision should be made for the protection of any existing habitats found to support protected species and that surveys should be carried out if it is expected that such species may be present prior to proceeding with any development. The Phase 1 Habitat Survey found that a number of protected species had been recorded within 1km of the site, including bats but that there is a low potential for bat roosting or foraging on the site itself. The closest recorded site for bats date from the mid 1990's and are associated with the Regents Canal which is separated from the site by a number of roads and other barriers. The bat survey report associated with the Kings Cross Central scheme closer to the site did not reveal any potential for bats to be present or to have the potential for bats be foraging. The scrub next to the SNCI is relatively limited, separated from any wider network of green spaces and is open to disturbance (both physical disturbance from the train line as well as noise and light disturbance from the Kings Cross site). Whilst this scrub area has been found to exhibit more ecological value than other parts of the site it is not of a high invertebrate value and would not provide good foraging potential for bats. It is therefore considered that there is no reasonable expectation for the proposed building works to disturb any protected species other than nesting birds which can be adequately addressed by measures for any clearance works to be undertaken outside of the breeding season as mentioned above.
- 6.210 The band of trees which runs along York Way (within the designated open space) does provide visual amenity and character within the streetscape but is generally made up of relatively young trees and trees which are not worthy of preservation individually. These trees are also growing at a higher level than the road which has implications for access into the site. New street trees are proposed for this stretch which will reinstate a level of greenery within the streetscape at street level and allow a greater level of permeability into the site.
- 6.211 Trees within the estate to be removed are generally of low quality and have limited value from the wider public realm. The retention of many of these trees would make the regeneration of the site difficult. Significant tree planting as part of this redevelopment will compensate for the loss of these trees and in the longer term should provide a greater level of canopy cover. The full details of re-planting and protection of existing trees during the construction works should both be made the subject of approvals of details by appropriate conditions.
- 6.212 In conclusion, provided the replacement tree planting, green and brown roofs, other planting and the habitat enhancements proposed within the development are provided to a sufficient standard, the biodiversity value and tree cover for the proposal site as a whole is adequately capable of being enhanced in line with policy CS15. Details of these should all be secured by conditions.

### **Basement impact**

- 6.213 The only area of the scheme which could be termed as basement is the lower ground floor to the blocks A, B and C. There is also an excavation of the existing spoil mound proposed for block J in order to bring the entrance elevation level with the adjacent roadway, although does not include a basement. None of these involve any fully sub-surface accommodation and would not be adjoining any existing properties. It is therefore considered unlikely that any of the issues associated with basement development in a high density area would arise.
- 6.214 Nevertheless, since the affected parts of the site are located within an area of hydrological constraint for slope stability, it is required in line with CPG4 that a basement impact study be submitted to address blocks A, B and C in particular.
- 6.215 The applicant was only advised of this requirement during the course of the assessment and has so far not been able to complete the assessment. This matter will therefore need to be reported via the Supplementary Agenda.

### **Contaminated land and Air Quality**

- 6.216 As residential units are being introduced onto a site that has previously been occupied by various commercial and industrial activities, there is the potential for ground contamination to be present. A contamination report was submitted with the application, which has been assessed by the Council's contamination officer and found to be acceptable for the purposes of a preliminary desk study. However, the nature of the site and likely contamination present is such as to require a fully intrusive site investigation to identify potential high risk zones and design an appropriate site investigation for each. The investigation should also take into account other environmental risks such as potential gas and vapour generation as well as risks of water contamination. Conditions are recommended to be attached as appropriate to ensure a programme for the necessary mitigation and to address any further contamination that may be uncovered whilst the development is progressing.
- 6.217 The applicant has submitted an Air Quality Assessment which demonstrates that the impact on air quality during the construction period can be mitigated by good construction practices. Such measures would be secured through the Construction Management Plan for each phase which should include a real time-dust monitoring plan in line with Camden's monitoring protocol. The submitted assessment also recommends that mechanical ventilation is installed throughout all the residential units of the scheme to provide a source of 'clean' air. This is considered prudent in view of the generally high levels of NO<sub>2</sub> in the vicinity.
- 6.218 The inclusion of the CHP within the scheme has the potential to have an impact on air quality and was not included in the originally submitted assessment. A revised air quality assessment has now been submitted which has incorporated the estimated NO<sub>2</sub> emissions from the CHP into the air quality modelling. Camden Environmental Health Officers are now satisfied that the proposed CHP has been modelled appropriately. CHP systems significantly increase NO<sub>2</sub> compared with traditional boilers, and therefore would require the Shadow S106 agreement to include the following requirements:

- CHP must adhere to the forthcoming GLA CHP emissions standards (due for publication Spring 2013)
- CHP system must be specified to the correct size (considering baseload requirements).
- Lowest NOx systems should be utilised, this is usually a natural gas turbine system, if alternative technologies are used then justification must be provided.
- Emissions must be mitigated through the best-in-class abatement technology.
- Stack heights must be calculated to be optimum for reducing ground level emissions and occupant exposure.
- Regular maintenance and monitoring must be undertaken to ensure that predicted emissions are not exceeded.
- Any back-up boilers must be low NOx and energy efficient

6.219 Subject to the above requirements it is considered that the proposals are in compliance with policy DP32.

### **Community infrastructure levy**

6.220 The proposal will be liable for the Mayor of London's CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £1,279,250 (25,585sqm x £50). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

## **7. CONCLUSION**

- 7.1 This is a key proposal in the Council's Community Investment Programme which seeks to deliver a housing-led regeneration of an existing estate that has long suffered from under-investment. The proposals include a high density residential led mixed-use scheme in an area which is set to benefit from the nearby Kings Cross Central regeneration site. It would comprise approximately 50% of affordable housing much of which is suitable for families.
- 7.2 The scheme has been successful in integrating with its neighbours and will provide a high level of amenity to its future occupiers in terms of sunlight and daylight, privacy and open space. Although the facades adjacent to York Way in particular would be subject to some environmental noise impacts it is considered that with further survey work where appropriate and noise mitigation, these concerns can be overcome.
- 7.3 Whilst the loss of the existing industrial estate is regretted, it has been necessary to strike a balance between the Council's policy of protecting existing employment premises and achieving much needed improvements to the residential environment of the existing housing estate and how it relates to York Way and the adjoining areas to the south and east. This has also enabled the provision of considerable

benefits in terms of affordable housing provision fulfilling a key objective in the Council's estate regeneration programme.

- 7.4 The inclusion as part of the proposals of commercial floorspace providing employment opportunities for local people and flexible accommodation suitable for small and/or start-up businesses in the growing innovation sector, is a key benefit in itself and will at least partly compensate for the loss of the existing industrial estate.
- 7.5 Officers consider that the design of the scheme has resulted in a collection of buildings that are of a high architectural quality integrating well with the existing estate. The inclusion of a tall building is appropriate to the surrounding context and would not impact adversely on its neighbours. The scheme also delivers a safe and accessible public realm that is readily legible and can be utilised and enjoyed by everyone. Furthermore the scheme would deliver significant environmental performance improvements through incorporation of SUDs, site wide CHP with the potential to expand this to the estate as a whole, achievement of at least Level 4 of the Code for Sustainable Homes, green roofs and the potential for enhanced site wide biodiversity.
- 7.6 In summary it is considered that the proposed development in terms of its design, mix and detailed content has demonstrated it will succeed in delivering a sustainable scheme that will addresses housing needs, provide employment opportunities and fulfil other estate regeneration objectives that will benefit the existing community.
- 7.7 Planning Permission is therefore recommended subject to conditions and a shadow s106 which would secure the Heads of Terms listed below and subject to referral to the Mayor under the Town and Country Planning (Mayor of London) Order 2008:

**Shadow Section 106 Heads of Terms:**

- 7.8 A shadow Section 106 agreement would be prepared for this Council-own scheme in order to inform the full details of all those matters that would normally be included in a section 106 agreement but cannot be entered into by the Council as developer. A full list of heads of terms are set out below. It should be noted that all matters covered in the shadow S106 heads of terms will form the subject of additional conditions to follow on from those included in the officer recommendation to this report, the detailed wording of which will be worked up by officers in conjunction with the Legal Division subsequent to any minded decision to grant permission taken by the Council.
1. Affordable housing
  2. Phasing Plan: To balance the delivery of the affordable and market housing with the phases of the development in order to ensure provision of the affordable housing in full upon practical completion.
  3. Employment Space Plan
    - to deliver a minimum of 470 sqm (Gross Internal Area) of B1 space

- demonstrate by reasonable endeavours a commitment to provide “low cost” incubator/workspace
- provide details of the specification, design and location of the employment floorspace and demonstrate how the submitted Maiden Lane Estate Regeneration Commercial Space Options Appraisal by Renaisi dated Sept 2012 has informed the design, letting and specification choices made in respect of provision of the space.
- identify sectors and type of businesses to be targeted and a strategy to market and promote the workspace to such sectors
- demonstrate how the developer will work in partnership with Maiden Lane Community Centre (or other social enterprise/local organisation) to support and promote the workspace
- regular reporting mechanism to the council should address actions specified in the plan

#### 4. Recruitment and apprenticeships

- to work with the Council’s construction skills centre in York Way to support the recruitment of Camden residents to jobs created during the construction of the development; to advertise all construction job vacancies locally; and to work towards a target that 20% of jobs are filled by Camden residents
- to provide 30 construction industry apprenticeships to Camden residents using a range of options tailored to the build requirements of the development. The placements would be delivered throughout the course of the development. Also to deliver 20 work placement/work experience opportunities throughout the construction process.
- to deliver at least 1 End Use apprenticeship, e.g. caretaker, receptionist or another suitable role.

#### 5. Local Procurement

- to work with the Council’s local procurement team to provide opportunities for Camden-based businesses to tender for the supply of goods and services during construction

#### 6. Community Access Plan (regarding access arrangements for the disabled lift)

#### 7. Energy Strategy

#### 8. Sustainability Plan

#### 9. Car free housing

#### 10. Full Residential Travel Plan (including TRAVL after study) plus financial contribution to cover monitoring costs

#### 11. Construction Management Plan

#### 12. Construction working group

#### 13. Service Management Plan

14. Electric vehicle charging and monitoring plan (to secure 3 on-site EVCPs)
15. Car club membership subsidy
16. Level plans
17. Community facilities contribution £465,000  
to be spent over an 8 year period and awarded to the Maiden Lane Community Centre.  
The funds will be used as follows:  
£48,125 per annum for 8 years to be used to mitigate the affect of the increased use projected by the additional residents on the Maiden Lane estate by the Maiden Lane Community Centre (revenue funds)  
£5,000 per annum for 8 years for use on capital projects/maintenance of the Maiden Lane Community Centre  
£5,000 per annum for 8 years as a community chest to be spent on local groups and organisations within a half mile radius of the Maiden Lane Estate. This will be used to seed-fund or support existing projects and organisations that provide services benefiting the residents of the Maiden Lane Estate.
18. Travel Plan monitoring and review contribution (for 5 years) £5,561
19. Bus capacity contribution £450,000
20. Legible London contribution £15,000
21. London Cycle Hire scheme contribution £130,000 (to be spent within 5 years)
22. Bus stop upgrade contribution £20,000
23. Highway works contribution (to cover loading bay, bus stop re-location, reconfiguration of junction to Broadfield Lane/York Way and new vehicular access to the north, re-paving of footway in front of the site, street tree planting, Street lighting, traffic signing and road-marking amendments) £tbc
24. Education contribution £208,650

## **8. LEGAL COMMENTS**

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