

Address:	1 Dumpton Place and rear of 90-108 Gloucester Avenue London NW1	
Application Number:	2012/1209/P	Officer: Adrian Malcolm
Ward:	Camden Town with Primrose Hill	DC Committee: 20/09/12
Date Received:	03/04/2012	
Proposal: Erection of building comprising basement, ground, first, second and part third floor level to provide employment use (Class B1) and six residential houses (4 x 2 bed, 2 x 3 bed) (Class C3) (following demolition of existing car repair workshop building- Class B2).		
Drawing Numbers:		
Site Location Plan; Drawing No(s): Site Plan; 5001A; 5002B; 5003C; 5004C; 5005C; 5006B; 5007B; 5011A; 5012B; 5013A; 5021A; 5022B; 5023; 5024 - 5029; 1001; 1002; 1003; 1004; 1005; Transport Statement (RGP, Feb 2012); Phase 1 Environmental Assessment 1-2 Dumpton Place (Sarena Ltd, Aug 2010); Energy Statement (AJ Energy, Feb 2012); Sustainability Statement (AJ Energy, Feb 2012); Noise and Vibration Impact Assessment Report (WSP, 17/2/12); Report on Contaminated Land Initial Assessment (Knapp Hicks and Partners, March 2012); Design and Access Statement (PMA Architects, 26/1/12); Daylight and Sunlight Study (Rights of Light Consulting, 15/11/11); Daylight and Sunlight Study (Within Development) (Rights of Light Consulting, 15/11/11); Basement Impact Assessment (BIA) Report (Knapp Hicks and Partners, Dec 2011); Planning Statement (CGMS, Feb 2012); Heritage Statement (CGMS, Feb 2012); Sedum Roof Specification Sheets 1-3 (Colvin and Moggeridge, 27/3/12); letter by James Kicks of PJM, 16/2/12); letter from Valerie Scott (CGMS, 13/4/12) .		
RECOMMENDATION SUMMARY: Grant Planning Permission, subject to a legal agreement		
<u>Related Application</u>	Conservation Area Consent Application	
Date of Application:	03/04/12	
Application Number:	2012/1318/C	
Proposal: Demolition of existing car repair workshop building (Class B2)		
as shown on drawing numbers: 5501; 5502; 5503; 5504		
RECOMMENDATION SUMMARY: Grant Conservation Area Consent		
Applicant:	Agent:	

Izabelle Investments Ltd c/o Agent	CgMs Ltd Morley House 26 Holborn Viaduct LONDON EC1A 2AT
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ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	<i>B2 General Industry</i>		<i>947 sqm</i>
Proposed	<i>B1 Business C3 Dwelling House</i>		<i>839 sqm 870 sqm</i>

Residential Use Details:							
	Residential Type	No. of Bedrooms per Unit					
		1	2	3	4		
Existing	<i>Flat/Maisonette</i>	0	0	0	0		
Proposed	<i>Flat/Maisonette</i>	0	4	2	0		

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	15	0
Proposed	4	2

OFFICERS' REPORT

Reason for Referral to Committee:

A Minor Development involving the creation of 5 or more residential units [Clause 3 (iii)].

1. SITE

- 1.1 The application site comprises a section of land located to the west of a cul-de-sac (Dumpton Place) off Gloucester Avenue and approximately 250m to the south west of Chalk Farm underground station. The site incorporates a red-brick flat-roofed 2-storey building with a large lift over-run enclosure at 1 Dumpton Place to the rear of nos. 90-92 Gloucester Avenue and a corrugated iron warehouse building to the rear of nos. 98–108 Gloucester Avenue, which has a Class B2 (general industrial) use.
- 1.2 To the north of the site is railway land, whilst the southern boundary of the site is formed by the rear of the residential 3-storey premises of nos. 90–108 Gloucester Avenue. To the west of the site is a 2-storey commercial works building located to the rear of nos. 110-128 Gloucester Avenue, whilst the eastern boundary of the site is formed by the boundary wall with the railway line and a parking/turning area.
- 1.3 The site is located within the Primrose Hill Conservation Area but none of the buildings are positive contributors to the conservation area or listed. The red brick building at 1 Dumpton Place is specifically referred to as detracting from the character and appearance of the conservation area, and the rest of the site as having a neutral impact. The surrounding buildings are all considered to have a positive impact.
- 1.4 This area is not considered to suffer from parking stress and the Public Transport Accessibility Level (PTAL) for this site is 3 (medium accessibility to public transport).
- 1.5 The site is currently vacant but was last occupied by a car servicing company that had opening hours of 8am to 6pm Monday to Friday.

2. THE PROPOSAL

Original

- 2.1 The proposal involves the demolition of the existing buildings and the erection of a part three/ part four storey plus basement building fronting Dumpton Place comprising basement, ground, first, second and part third floor level to provide 831sqm of Class B1 floorspace. The floorspace is shown divided into 7 Class B1 units ranging from 43sqm to 92sqm floorspace with shared facilities, though the building could be sub divided to suit occupiers' requirements. This building is proposed to be faced with yellow London stock bricks with stucco to the ground floor and columns of aluminium framed glazing and insulated aluminium panels. A basement level car park accessed via a car lift and with 6 parking spaces (including two disabled-sized spaces) for the proposed residential is shown at basement level of this building and beneath part of the residential terrace behind.

- 2.2 A separate mews terrace is proposed to the rear of the Class B1 building comprising 6 private houses (4 x 2 bedroom and 2 x bedroom), accessed by a private pedestrian footpath. Four of these properties would be two storeys plus basement and two would be three storeys plus basement. The houses would have small rear gardens, four of which would be sunken at basement level and four would have roof terraces. The terrace would have a modern design with dark blue engineering facing bricks to the ground floor and coloured rendered upper floors, separated by glazed atriums.

Revisions

- 2.3 An assortment of minor changes have been made during the course of consideration of the application including: to the pedestrian access, parking and cycle storage facilities and to improve the credentials of the residential units in terms of lifetime homes, to increase the area of green roof and decrease any opportunities for overlooking from the Class B1 building.

3. RELEVANT HISTORY

Planning history including the current application site (1 Dumpton Place)

- 3.1 The premises appears to have been used for vehicle repairs and servicing for many years. The western part of the site was granted permission in March 1966 for the use of the workshop building at the rear for coachworks and the refinishing of motor vehicles. In 1970 permission was granted for a 2-storey extension, which created the existing red-brick frontage building, although it has been modified in various ways since.

- 3.2 Planning permission was refused in September 2000 for the redevelopment of the site to the rear of nos. 90-108 Gloucester Avenue by the erection of a 3-storey office building, and for the redevelopment of the site at 1 and 2 Dumpton Mews to the rear of nos. 52-88 Gloucester Avenue by the erection of 9 x 3-storey mews houses together with the erection of 2 x 4-storey houses at no. 46 Gloucester Avenue. An application for conservation area consent was also refused (LBC Reg No's: PEX0000344 & CEX0000345). The reasons were:

-The scheme would result in a significant loss of employment space and the new employment space would not be suitable for flexible use;

-The scheme would lead to a loss of privacy, loss of outlook and an increased sense of enclosure for residents in Gloucester Avenue;

-The height, bulk and design of the mews housing would be detrimental to the setting of adjoining buildings and the character and appearance of the conservation area;

-The elevational design of the two houses on Gloucester Avenue would not be in keeping with the character and appearance of the conservation area;

-The proposals would result in the loss of a backland employment site adjoining the railway contrary to the character of the conservation area; and

-The mews houses would be an overdevelopment of the site by reason of excessive density, lack of adequate amenity space, and poor amenity for the future occupiers because of railway noise and lack of privacy because of the close proximity of houses in Gloucester Avenue.

3.3 Planning Permission and Conservation Area Consent were granted in November 2004 for the redevelopment of the site at 1-2 Dumpton Place by the erection of a 3-storey B1 Use Class (business use) building located to the rear of nos. 90-108 Gloucester Avenue, the erection of a 2-storey B1 Use Class (business use) building located to the rear of nos. 68-88 Gloucester Avenue, the erection of a 2-storey plus basement terrace of 6 x 3-bedroom houses located to the rear of nos. 52-66 Gloucester Avenue and the erection of a pair of 4-storey plus basement 5-bedroom houses at no. 46 Gloucester Avenue with a 9 space car park to the rear (LBC Reg No's: PEX0200634 & CEX0200635).

3.4 Planning permission was granted subject to S106 on 23 October 2009 for erection of a building comprising basement, ground and 2 upper floors to provide offices (Class B1- 883sqm) and a building comprising ground and two upper floors to provide six residential units (1x 1-bedroom and 1x 2-bedroom flats and 4 x 3-bedroom dwellinghouses, total 657sqm residential floorspace) (following demolition of existing buildings). An accompanying application for conservation area consent for demolition of the existing buildings on site was also granted (LBC Reg. No's 2008/1322/P and 2008/1347/C)

Other relevant applications at 2 Dumpton Place (r/o 68 – 88 Gloucester Avenue)

3.5 Planning permission and conservation area consent were refused in November 2009 for the erection of 5 x3 bedroom single family dwelling houses and a three storey office building following demolition of the existing business premises (2009/1296/P and 2009/1299/C). This application was submitted prior to the part-implementation of the 2004 permission. The main reasons for refusal were as follows:

-Sub-division of the site resulting in failure of the scheme to incorporate affordable housing;

-Sub-division of the site resulting in failure of the scheme to incorporate environmental sustainability measures in its use of energy, water and resources;

-Bulk, height and detailed design harmful to the character and appearance of the Primrose Hill Conservation Area and contrary to design policies;

-No details provided with regard to the treatment of the northern end of the adjacent partially-retained light industrial building;

-Failure to meet Residential Development Standards; and

-Concerns regarding community safety within the development.

- 3.6 Planning permission (subject to a legal agreement) and conservation area consent were granted in April 2011 for the erection of three storey building with basement fronting Dumpton Place to provide a business unit (Class B1) and a terrace of 6 x two/three storey houses with basements (to provide 2 x 3-bedroom and 2 x 4-bedroom private units and 2 x 2-bedroom affordable units) (Class C3) following demolition of existing business premises (2011/1603/P and 2011/1604/C). This scheme is currently being implemented.

Land between 1 and 2 Dumpton Place:

- 3.7 Planning permission and conservation area consent were refused in October 2000 for the erection of a 3-storey business building (B1 Use Class) on land at the northern end of Dumpton Place (between no's 1 and 2) for the following reasons (LBC Reg No: PEX00349):

-The proposal would enclose the open end of Dumpton Place to the detriment of the character and appearance of the conservation area; and

-The height, bulk and design of the proposed building, in conjunction with the proposed mews development, would harm the setting of existing buildings in Gloucester Avenue and harm the character and appearance of the conservation area.

4. **CONSULTATIONS**

Statutory Consultees

- 4.1 English Heritage: Delegate to be determined in accordance with Camden's specialist conservation advice and in accordance with national and local policy guidance.

Environment Agency: Wish to record 'no comments.'

Thames Water: No objection re sewerage or water infrastructure implications. Surface water drainage to ground, water courses or suitable connections to sewers are the developer's responsibility (TW permission needed to connect to public sewer and for groundwater permits). Request non-return valve or similar to prevent backflow. LPA approval of piling method statements should be required in advance of such works. Informative requested re need for precautions to avoid London Water Ring Main or large stored water tunnel that is to be found in the area.

Conservation Area Advisory Committee

- 5.2 Primrose Hill Conservation Area Advisory Committee: Object.
-It is a characteristic feature of the conservation area that this area to the rear of the residential terraces have formed local employment space and the maintenance of viable employment space is critical to the economic viability of local shops and services. The Primrose Hill Conservation Area Statement states that the Council will seek to retain uses which form part of the established character of the conservation area.

-The extra storey would be harmful to the character and appearance of the conservation area and would create a sense of enclosure that would be harmful to the amenity of adjoining residents. Buildings in this location should respect the building lines and roof lines of adjoining buildings, in accordance with the Conservation Area Statement, and reflect the subordinate nature of employment uses in this location like the existing building.

-The roof terrace would directly overlook habitable rooms to houses in Gloucester Avenue and proposed office windows would also cause overlooking and light pollution, thus harming the amenity of neighbouring residential property.

-The proposal would provide inadequate protection to the sunlight and daylight to residential premises in Gloucester Avenue.

-The proposed housing would have poor standards of sunlight, with basement gardens that would not receive direct sunlight. Rear private green space is characteristic of the conservation area.

-Dumpton Place has a historical character adjacent to the railway line with industrial forms, materials, finishes and details that are important to the conservation area. Any changes to Dumpton Place should be consulted upon.

-Conditions should be placed upon any approvable scheme to ensure that office lights are not left on at night, in order to protect neighbouring amenity and reduce energy use; that no plant/air conditioning is placed on the roofs to the buildings in order to protect the appearance of the conservation area and for reasons of sustainability.

-Object to the demolition of the current building until a satisfactory design is proposed for the replacement building.

Local Groups

- 4.3 Gloucester Avenue Association: Object as the proposal would affect residents at 98-108 Gloucester Ave. Proposal is similar to previous proposals, but differs in that two windows would be formed in the wall of the current shed that faces Gloucester Avenue and the building at the rear of the Lansdowne pub would be one storey higher than the tower that exists.
Would welcome any proposals that enhance the attraction of Dumpton Place.

Adjoining Occupiers

<i>Number of letters sent</i>	45	
<i>Total number of responses received</i>	1	
<i>Number of electronic responses</i>	1	
<i>Number in support</i>	0	
<i>Number of objections</i>	1	

Site notice expiry date: 26/4/12

Press notice expiry date: 3/5/12

- 4.4 Objection from occupiers of 102 Gloucester Avenue:
-Reaffirm objections of Gloucester Ave Association

5. **POLICIES**

5.1 **LDF Core Strategy and Development Policies**

Core Strategy

CS1 (Distribution of growth)

CS4 (Areas of more limited change)

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

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 & encouraging Biodiversity)

CS17 (Making Camden a safer place)

CS18 (Dealing with Our Waste and Encouraging Recycling)

CS19 (Delivering and monitoring the Core Strategy)

Development Policies

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 homes)

DP13 (Employment premises and sites)

DP16 (The transport implications of development)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and the availability of 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)

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 Guidance**
Camden Planning Guidance (2011)
Primrose Hill Conservation Area Statement (2000)
- 5.3 **London Plan (2011)**
- 5.4 **National Planning Policy Framework (NPPF) (2012)**

6. **ASSESSMENT**

6.1 The principal consideration material to the determination of this application and summarised as follows:

- Land Use Principles- *Employment; Housing;*
- Design and Impact on Conservation Area;
- Quality and Layout of Proposed Dwellings- *Floorspace and Layout; Internal sunlight/daylight levels; Lifetime Homes and Wheelchair Standard Housing; Noise and Vibration*
- Residential Mix
- Neighbouring Amenity- *Sunlight and Daylight; Outlook; Privacy*
- Transport;
- Landscaping and Biodiversity;
- Basement Issues
- Sustainable Design and Construction;
- Other issues- *land contamination; education and open space contributions; community safety*
- Crossrail

Land Use Principles

-Employment Use in principle

6.2 The proposal involves the loss of the existing Class B2 general industrial space of 947sqm and proposes 839sqm of Class B1 flexible business floorspace. The planning permission granted in 2008 accepted a mixed redevelopment including the provision of a very similar quantum of 883sqm Class B1 floorspace (44sqm more than currently proposed) on the basis that the proposal was considered to increase the employment generation potential of the site; that a B1 use would be less likely to lead to environmental problems for residential occupiers of Gloucester Avenue than the existing unrestricted B2 use (particularly as the B1 use would be likely to be a less vehicle and traffic intensive use) ; provided accommodation suitable for flexible use within a range of B1 business uses; and proposed mixed use development, incorporated new housing, which was encouraged by the development plan of the time (the Unitary Development Plan, as opposed to the current Local Development Framework). These principles still apply to the current proposal and the key relevant current policies of the Local Development Plan remain similar.

- 6.3 Surveying has been submitted (the building surveyor's report). This outlines that the existing employment space has low structural beams at ground floor access level with a ceiling height that would be insufficient for HGV's and could not be increased without demolition of the building fronting Dumpton Place; the building does not comply with European regulations with regard to loading and unloading, moving of vehicles and parking generally; that there is 100% site coverage with no yard space and no parking (requiring servicing on street); on street servicing is difficult and limited, resulting in hazardous movement for pedestrians and other highway users; the traffic issues (loading/unloading, parking and general vehicle movements) cause conflict with nearby residential premises; and the existing building is set out as a vehicle repair workshop it would be virtually impossible for the space to be subdivided to smaller spaces for a number of occupiers.
- 6.4 Policy CS8 (Promoting a Successful and Inclusive Camden Economy) seeks to ensure that the borough retains a strong economy. It seeks to do this by, amongst other things, safeguarding existing employment sites that meet the needs of modern industry and employers. DP13 provides more detailed information as to how these aims will be implemented.
- 6.5 Policy DP13 (Employment Premises and Sites) states that the Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business use unless it can be demonstrated that the site is no longer suitable for its existing business use; and there is evidence that the possibility of re-using or redeveloping the site for alternative business use is not viable. Camden Planning Guidance sets out a 3 stage categorisation for industrial premises, depending upon their characteristics and location that would guide the Council as to whether their retention for industrial purposes would be merited.
- 6.6 If employment space is provided within a redevelopment scheme, under the Council's policies the space needs to provide flexible features that would enable a range of B1 uses outside of solely B1a (office) use. This is in order to ensure economic diversity, mixed-use character and a range of employment opportunities in the local area.
- 6.7 The aforementioned building surveyor's report notes how the dramatic increase in vacant commercial accommodation as a result of the recession has been reflected in significant increase in vacant Class B1 and B2 accommodation in both Camden and the local Primrose Hill Conservation Area, resulting in a supply of large amounts of vacant accommodation that far exceeds demand. It is also extremely difficult to acquire funding for commercial developments in such secondary locations, increasing building costs, rents are low and short contractual lease terms are often sought which make it extremely difficult to make industrial or warehouse schemes viable. Given the limitations of the current building outlined above, the report concludes the existing building is no longer viable for industrial use as it is worn out and poorly designed inflexible purpose-built accommodation.
- 6.8 The surveyor's report advises that the proposed building may be able to attract the demand that does exist in the area for high tech, design and creative companies seeking commercial accommodation ranging around 70sqm – 230sqm. The building could be sub divided into floors or part floors with their own facilities and

access to a loading bay. It would provide flexibility of uses across the B1 class. The proposed use of the premises would not cause the conflicts with neighbouring residential premises that the existing general industrial use has caused and the decrease in employment floorspace would be minor.

6.9 The surveyor's report asserts that the site would fall within category 3 (poor access and servicing and incompatible with neighbouring uses). While officers note the site has some characteristics of category 2 (e.g. level access, good natural light and shuttered doors), the thrust of the surveyor's report is accepted in that the site may not be suited to continued industrial use since it has become empty and may need significant investment. The impact of the financial climate, that has deepened since the evidence base of the reports upon which Camden's Planning Guidance was compiled, must also be recognised. Camden Planning Guidance advises that category 3 sites are heavily compromised, but may be suited for Class B1a office use. Much of the existing building would clearly not be suited to B1a use, however the proposed commercial space offers a relatively small decrease of 108sqm (and a similar amount -44sqm less- than that previously accepted in 2008) while securing flexible B1 use that may appeal more to local demand for business floorspace. Given these circumstances outlined above, it is not considered that marketing of the premises over a sustained period of time would serve any purpose, particularly as a satisfactory amount of flexible Class B1 floorspace is proposed.

6.10 The proposal is therefore considered acceptable in terms of commercial floorspace and would be compliant with policies CS8, DP13 and CPG.

-Housing Use in principle

6.11 Mixed use development, incorporating new housing, is encouraged in the Local Development Strategy. Policies CS1 and CS6, for example, expect a mix of uses in suitable schemes, including an element of housing and seek to maximise the supply of housing to meet or exceed housing targets. In this case, it has been established that the proposed business floorspace is acceptable in principle and the provision of housing is therefore also welcomed on the site. This use is compatible with the area and follows other mixed use schemes on former industrial sites in the locality.

6.12 The scheme proposes 870sqm of residential floorspace, comprising 6 residential units. In itself, the proposal does not trigger the need for affordable housing under Policy DP3. The scheme granted on this site in 2008 (also for 6 residential units, though only comprising 657sqm floorspace) also did not generate a requirement for affordable housing. It is noted that a very similar mixed use scheme considered last year at 2 Dumpton Place (see history) for 6 residential units comprising 1233sqm residential floorspace did provide two units of intermediate affordable housing. This was accepted and there was no obligation attached to that consent to link it with the site that is the subject of this application. Nevertheless, the applicant has confirmed (when requested) that they have no ownership interest in the site at 2 Dumpton Place. On this basis, it is not considered that the scheme would need to make any contribution in terms of affordable housing under Policy DP3. However, should the 1,000sqm or 10 or more residential units housing threshold across the entire site be triggered by any change of use of the Class B1 space currently proposed at the front

of the site in the future, then affordable housing would be sought. This is recommended to be secured by S106.

Design and Impact on Conservation Area

- 6.13 The site is in the Primrose Hill Conservation Area, however the site buildings are commercial/industrial in character and are not recognised as positive in the Conservation Area Statement. Since they are out of keeping with the area, and no NPPF heritage justification for demolition is required. There is no objection to the demolition of the existing building in principle, provided this is in conjunction with an acceptable redevelopment of the site.
- 6.14 The site is a narrow backland strip which runs between the rear of a Victorian terrace, noted as making a positive contribution to the Conservation Area, and the main railway tracks running out of Euston Station. The rear gardens of the Gloucester Avenue terrace are short and are currently terminated by a 4.7m-high boundary wall contiguous with the proposal site. The only public street frontage of the application site is onto Dumpton Place, dominated by the tall and bulky form of the red brick post-war frontage building of the car repair workshop (which generally detracts from the character and appearance of this section of the Conservation Area).
- 6.15 The proposal is for a mews type development of six dual aspect houses set parallel and backing onto the rear of the Gloucester Avenue terrace, with a view north-eastwards over the railway tracks. It should be noted that the proposal closely resembles in architectural style and approach the recently consented scheme currently under construction for the site at No 2 Dumpton Place (ref 2011/1603/P), which is situated immediately to the south of the site on the opposite side of Dumpton Place. The main difference is that the consented building on the south side is one storey lower, but there is precedent on the other side of Dumpton Place for a taller building due to the height and bulk of the existing car repair workshop. Nonetheless, if both schemes are implemented, the street will be lined on the north and south by architecturally similar buildings which will reinforce the streetscape.
- 6.16 The existing commercial building follows the line of the high boundary wall along the rear of the Gloucester Avenue terrace, however the site at this point gently widens towards the terrace. The proposed replacement Class B1 building would reflect the height of the existing building but would have a reduced bulk and scale which is welcomed, and, as stated above, would echo the architectural style and detailing of the building consented directly opposite. The main height and bulk of the building would be positioned away from the three storey public house terminating the Gloucester Avenue terrace, and would be adjacent to the railway track. This approach is supported. The detailed design, including the use of brick complementing the 19th century buildings of the Conservation Area, is to be welcomed. The vocabulary of metal crittal style windows and spandrel panels would give an industrial appearance, characteristic of this small pocket of the Conservation Area lining the railway tracks. At the same time, the banded ground floor base would pick up on the detailing of the 19th century terraces in Gloucester Avenue. There are no objections to angled PV panels on the roof which would add interest to the roofline.

- 6.17 The proposed mews houses have been designed thoughtfully to address the impact upon their neighbours, comprising the Victorian terrace and rear garden boundary wall. Their stepped form and the distribution of mass would add interest, particularly as viewed from the railway, but also produce a mews-style development of a suitable height scale to read as subservient to the terrace of houses fronting Gloucester Avenue. The scheme would also integrate well with the backland development immediately to the north which is situated beyond a high boundary wall. Lightwells and glazed hall/stair/landing areas have been thoughtfully designed to provide light into the properties, and amenity has been provided at roof and ground level. The areas of glazing would create an interesting interaction with the solid elements of the proposal. The facades would have a high quality domestic rhythm and legibility informed by the strong pattern of solid walls and glazed circulation spaces. The use of a variety of coloured renders would add interest to the development, but will not be visible from the public realm of the Conservation Area as they will be tucked behind the frontage building.
- 6.18 The proposal for conservation area consent and planning permission is considered to be acceptable, since it would preserve and enhance the Primrose Hill Conservation Area. It therefore complies with LDF policies CS14, DP24 and DP25 and policies for infill development in the Primrose Hill Conservation Area Statement.
- 6.19 It is recommended that design conditions are put on the development, regarding use of facing materials, fenestration, boundary treatment and landscaping. A condition is also proposed in terms of plant to ensure this is controlled in relation to the appearance of the building and the impact on nearby occupiers.

Quality and Layout of Proposed Dwellings

-Floorspace and layout

- 6.20 The proposed housing is in the form of a linear strip of two and three storey houses (four with basements). To the front, there would be a walkway between the houses and a high boundary wall to the railway sidings.
- 6.21 The proposed houses (2 x 3 bedroom and 4 x 2 bedroom) have their entrance, kitchen and living rooms at ground floor level level; the upper floors would have bedroom accommodation; and the four properties with basement areas would have playrooms. Each property would have a small rear garden of 3-3.5m depth (four located at the bottom of a sunken lightwell) and four properties would have roof terraces.
- 6.22 All of the proposed units comfortably comply with Camden floor space standards. Proposed floorspace for the 2 bedroom units would be 2 x 83.5sqm and 2 x 159sqm, plus 2 x 183.8sqm for the 3 bedroom unit, although it is recognised that the large floorspace for the last four houses is principally as a result of the basement level and there which would only be used as ancillary residential space for the dwellinghouses. However, the proposed dwellings would provide a high standard of residential accommodation in terms of layout, room sizes, ventilation and outlook in compliance with policy CS6 and the Residential Development Standards contained in Camden Planning Guidance.

-Internal sunlight/daylight levels

- 6.23 The applicant has submitted a sunlight/ daylight report that assesses internal daylight and sunlight levels in relation to BRE sunlight and daylight guidelines. This assesses the properties in terms of Average Daylight Factor which is the most appropriate measure for new build development. The results of the assessment indicate that the proposal would provide good levels of internal daylight that pass BRE guidelines. It is recognised that levels of sunlight will be limited due to the orientation of the site facing north-east and the large solid retaining walls to the front and rear, in similar fashion to the development permitted last year at Dumpton Place. However, the applicant has provided large light wells and glazed circulation areas which maximise the access to sunlight. Furthermore, the buildings are dual aspect and would provide accommodation in line with BRE Standards and Policies DP26 and DP2.

-Lifetime Homes and Wheelchair Standard Housing

- 6.24 Under Policy DP6 all new homes should comply with Lifetime Homes criteria as far as possible. The scheme has been amended during the course of consideration following discussion with the Council's Access Officer and the applicant has submitted an updated Lifetime Homes assessment which addresses the 16 points of the criteria.
- 6.25 Policy DP6 states that 10% of homes should be designed to meet wheelchair housing standards or to be easily adapted to meet them. The properties all have entrances at ground floor level and are capable of being adapted to meet wheelchair housing standards and the communal pathway would be graded such that ramps are accessible by wheelchair users (the Class B1 building has also been designed to be accessible to wheelchair users).

-Noise and Vibration

- 6.26 A Noise and Vibration assessment has been submitted with this application. This assessment measured the noise conditions within the site and specifically at the noise-sensitive boundaries to the railway tracks. The report was produced prior to the introduction of the National Planning Policy Framework and refers to PPG24, which is referred to in the Council's Planning Guidance on Amenity and reflects the standards set out in Policy DP28. It concludes that the development would fall into NEC Category B, much like the very similar development at 2 Dumpton Place that was approved in 2011. It proposed to install glazing systems and trickle vents that will ensure that internal noise levels achieve those set out in BS8233, in accordance with the advice for residential development on Category B sites in DP28. There would also be a 5.5m high wall and screen (the top 1.5m would be opaque glazing above a green wall that would act as an acoustic barrier. The investigation found that environmental vibration measures were not necessary. Conditions are recommended to ensure the noise mitigation measures specified in the report are implemented to the Council's satisfaction.

Residential Mix

- 6.27 The proposal would provide a mix of large and small homes, as required by Policy DP5. The proposal includes 4 x 2 bedroom private houses, which are identified as

very high priority in the housing priorities table attached to Policy DP5, and 2 x 3 bedroom houses which are identified as medium priority. The proposed residential mix is therefore considered to meet the requirement of Policy DP5.

Neighbouring Amenity

-Sunlight and daylight

- 6.28 The site is located broadly to the north east of a neighbouring terrace of properties that backs on to the site. The bulk and massing of the proposed development differs somewhat the existing development, however the residential parts of the development would be no higher than the ridge of the roof of the existing warehouse and the proposed commercial building fronting on to Dumpton Place would be not be higher than the maximum height (the lift overrun) of the current building that fronts onto Dumpton Place. The current 5.2m high boundary wall on the south west boundary would be retained and most of the development facing towards the Gloucester Avenue properties would fall within the current profile of the existing development. As a result of its layout, scale and location the proposal would not have any significant impact on sunlight to neighbouring properties. This is also demonstrated within the consultant's sunlight and daylight report, which shows that the development would pass the BRE guidelines in terms Vertical Sky Component tests on daylight received to all windows of adjoining premises and sunlight hours, as well as overshadowing tests to adjoining garden areas.
- 6.29 The application complies in full with sunlight and daylight to neighbouring occupiers in line with Policy CS5, DP26 and BRE Guidance.

-Outlook

- 6.30 When viewed from within the properties on Gloucester Avenue the proposal would generally be at the height of the existing boundary wall and the profile of the existing buildings, with modest exceptions in terms of the mass of parts of the top of the residential blocks at a distance of 15.5m (window to window) to the north-east of the Gloucester Avenue terrace. The areas of increased mass of the employment building (relative to existing) would be located adjacent to the railway cutting, on the far side from the Gloucester Avenue properties. The neighbouring upper floors currently overlook an unattractive industrial roof. The proposed large areas of green roof will improve the outlook from these upper floors. The impacts upon existing neighbouring properties therefore would not be sufficient to have any significant impact in terms of loss of outlook.

Privacy

- 6.31 The proposal does not involve any windows, balconies or roof terraces which directly face, or which could be used to afford views deep into, any neighbouring properties to the detriment of visual privacy of occupiers, provided windows to the top floor of the south-west elevation of the commercial building are obscure glazed (as shown on the drawings) and obscure glazed screens are proposed to the relevant areas of the proposed roof terraces such as to prevent any overlooking of the Gloucester Avenue properties. Conditions are proposed in this respect. If the flat roofs of the proposed buildings were used as amenity space they could be used to afford views of the nearby terrace to the detrimental of the privacy of occupiers of these properties. A condition is therefore attached to ensure

these flat-roofed areas are used for maintenance purposes only. A further condition is attached to ensure that the south-west facing windows to properties 5 and 6 and the south-west-facing atrium areas to all the properties are fitted with obscure glazing to prevent loss of amenity by views back towards the nearby terrace.

- 6.32 Although there are only windows at third floor level in the office unit that face towards the rear of the Gloucester Avenue terrace and these would be set significantly away from the this terrace, a condition is nonetheless proposed to ensure that movement-sensitive lights are fitted to the rooms to the proposed commercial building to ensure that lights automatically switch off when rooms in the building are not in use and thus prevent undue light pollution that could potentially be a nuisance to adjacent occupiers (as well as saving energy).
- 6.33 The development would therefore not cause any loss of amenity to nearby premises.

Transport

- 6.34 The site is located in Controlled Parking Zone CA-J, which operates between 8.30am and 6.30pm Monday to Friday. Shared use resident/Pay & Display bays are located opposite the site on Dumpton Place, whilst motorcycle bays are located to the immediate south of the site.
- 6.35 The site has a PTAL score of 3, which indicates that it has a medium level of accessibility by public transport. The nearest station is Chalk Farm, located to the north of the site, whilst bus services are available from Chalk Farm Road to the north and Regents Park Road to the south. The site's PTAL score is therefore below the threshold level of 4 set in Camden Planning Guidance 7 (Transport), above which the Council can require that a development be designated as car free. The provision of car parking at the rate of 1 space per residential unit is the maximum that can be provided and is thus acceptable. The residential units should be designated as car capped. This should be secured by means of a Section 106 Agreement.
- 6.36 11 cycle parking spaces for the Class B1 building and two of the residential units are provided in a covered 'Josta' stand area at the rear of the business use building and 4 of the residential units have private cycle stores at basement level with access to the parking area. Transport for London's standards require the provision of 1 space per 1 or 2 bedroom unit and 2 spaces per 3+ bedroom units, giving a requirement for 8 spaces. The Council's standards require the provision of 1 space per 250sqm for offices, which gives a requirement for at least 3 spaces. The provision of cycle parking across the site thus meets the Council's requirements and a condition is recommended requiring submission of further details.
- 6.37 Refuse and recycling storage is proposed in front of each dwelling and a refuse/recycling storage area is proposed on the ground floor of the Class B1 building. The offices and residential units will be serviced from Dumpton Place. This arrangement is acceptable.
- 6.38 The applicant is required to make a Section 106 contribution of £5,864.67 towards reinstating the footway in front of the site and amending the existing vehicle

crossover and £33,000 towards environmental improvements to the public realm/ landscaping at the eastern end of Dumpton Place, in front of the site. Such a scheme would improve the quality of the environment and would be related to the scale and nature of the proposed development. Some initial designs have been drafted (although a number of issues need to be resolved) and the scheme granted at 2 Dumpton Place also contributed towards this improvement.

- 6.39 A Construction Management Plan would be required prior to the commencement of works on site and it is recommended that this be secured by means of the Section 106 Agreement.

Landscaping and biodiversity

- 6.40 A hard landscaped pedestrian access way with porous paving is proposed with pergolas and a 'green wall' with trellised planting and planting boxes. Each residential entrance would have a pergola with planting, which would soften the appearance of the access way and add to biodiversity, as well as providing good visual amenity for outlook purposes.. Green roofs are proposed at 1st, 2nd, 3rd and roof levels to the residential and Class B1 buildings and four of the houses would have basement level gardens. The proposed landscaped areas are considered to be acceptable in terms of appearance and biodiversity, subject to recommended conditions

Basement Issues

- 6.41 A basement storey is proposed to cover the entire extent of the site. It would have a depth of 3.75m to the finished floor level.
- 6.42 The applicant has submitted a Basement Impact Assessment (or BIA) that follows the process of screening and scoping set out in Camden Planning Guidance.
- 6.43 A 20m deep borehole taken nearby at the junction of Dumpton Place with Gloucester Avenue showed made ground to a depth of 3m over firm clay which becomes stiff at 6m depth. Boreholes have generally not encountered groundwater, other than some investigation holes in 2008 that found some settled water at around 1m depth.
- 6.44 The basement would therefore be expected to be above the water table, however there is likely to be localised perched water within the made ground above formation level (due to interlaying strata and possibly some buried former floor slabs) which may be subject to seasonal and other changes. However, the same structural, civil and geotechnical engineers who investigated the project that is currently being constructed at 2 Dumpton Place, conclude that (on the basis of experience at that nearby scheme currently under construction) no further action would be necessary to deal with groundwater beyond following standard good construction practice for basements.
- 6.45 It is proposed to use contiguous bored pile walls that have already been successfully used nearby at 2 Dumpton Place to provide support for construction of the basement areas, as these have very similar designs with the same boundary conditions and have resulted in no more than negligible levels of impact to neighbouring properties through construction work with no recorded movements to

main walls or garden walls. Similar temporary support arrangements are also to be adopted as per previous projects, where there were no ground water issues.

- 6.46 The basement would be located within 5 m of the highway. The basement wall and temporary works are designed to accommodate the required highway loadings. The wall will be constructed using techniques which prevent highway and railway land and any associated infrastructure from being destabilised. The BIA states that no party walls with adjoining properties would be undermined during the project
- 6.47 Map 5 of the London Borough of Camden Local Development Framework Core Strategy does not identify Dumpton Place as a street which flooded in 1975 or 2002 nor is it identified as being within an area with potential to be at risk of surface water flooding, though it is noted that the nearby Gloucester Avenue is identified as having flooded in 1975. The survey information and analysis provided in the Soil and Structural Report and Environmental Report are considered to be sufficiently detailed to demonstrate that any changes to the groundwater table would be limited and localised.
- 6.48 The proposal is in accordance with the basement guidance and policy DP27 and a condition is recommended to require supervision of the construction works to ensure the findings of the report and the best basement construction practice is observed at all times.

Sustainable Design and Construction

- 6.49 The applicant has submitted an Energy Strategy to demonstrate how the proposal would comply with the requirements of the London Plan's Energy Hierarchy (be lean, be clean, be green) which is reflected in Camden's energy policies. This requires developments to be designed to first seek to reduce overall energy demand through passive design measures and the incorporation of energy efficiency measures, then to supply energy efficiently, followed by the selection of appropriate on site renewable energy generation.
- 6.50 In terms of being 'lean' the proposal features improved insulation and air tightness when compared against compliance requirements of Part L of the 2010 Building Regulations and would bring 42,345kg annual regulated carbon dioxide (CO₂) emissions reductions (heating, hot water, lighting, fans, pumps and hot water and 65,774kg annual regulated and unregulated (appliances, cooking, communal lighting and power etc) carbon dioxide emissions reductions.
- 6.51 In terms of being 'clean,' the project would be too small for the smallest commercially available Combined Heat and Power Unit and this option would therefore be unviable. However, in terms of being 'green,' a feasibility study of low and zero carbon technologies resulting in the choice of photovoltaic panels for the commercial building and air source heat pumps for the residential properties, which is estimated to produce an annual CO₂ reduction of 24.7%.
- 6.52 The combined impact of all the measures employed would result in CO₂ emissions 42.1% lower than Part L of the 2010 Building Regulations compliance, which would easily exceed the London Plan target of 25% CO₂ reductions.

- 6.53 Policy DP22 requires new build developments in excess of 5 units to achieve a Code Level 3 rating in a Code for Sustainable Homes (CSFH) Assessment and a minimum score of 50% in the sub-categories of energy, materials and water. This policy also requires new build developments in excess of 500 sqm of non-domestic developments to achieve a “Very Good” score in a BREEAM Assessment and minimum scores in the sub-categories as follows: Energy 60%; Water 60%; and Materials 40%. A CSFH assessment has been provided that predicts that the development would achieve an overall score of just over 63% which would comfortably achieve a rating of Code Level 3, including scores achieving between 54 – 67% of available credits in the energy, materials and water categories. A BREEAM assessment has also been supplied for the business floorspace with a score of 62.3% which again comfortably achieves a ‘very good’ rating, with the following percentages of available credits in the relevant sub categories: energy 63%, water 66.7%, materials 53.9%. The proposal would thereby comply with the CSFH and BREEAM requirements of Policy DP22.
- 6.54 In terms of water use, a variety of measures are proposed to reduce occupiers’ use of potable water, such as tap flow restrictors, efficient white goods and dual flush toilets, to reduce use per dwelling to below 90L per day (exceeding CSFH Code 3 requirements). The commercial units and dwellings would have individual water meters and a number of green roofs are proposed to reduce pressure on the combined water and sewer network from storm run off (see landscaping section below).
- 6.55 The proposal is therefore considered to be acceptable in terms of sustainable design and construction issues and compliant with the requirements of policies in the Core Strategy and Development Policies.

Other Issues

-Education and Open Space contributions

- 6.56 In accordance with Policies CS10 and CS19 of the Local Development Framework and Camden Planning Guidance (CPG No.8), the Council seeks educational contributions from residential developments of this nature to contribute towards the additional demand for educational provision that can reasonably be expected to be generated by the development. Using the levels of contributions set out in CPG8, a contribution of £21,496 is expected. This is recommended to be secured via a legal agreement.
- 6.57 Within residential developments which create 5 or more additional dwellings policy DP31 requires the provision of 9sqm of open space per person. Open space provision will initially be expected on site, and if this is not possible, by making land available as open space or by paying a financial contribution. The proposed accommodation would be provided with balconies and sunken gardens that would have an area that would nearly match the area expected under the open space standard (170sqm area) in addition to private communal area in front of the residential properties, however no public open space is proposed on site. A contribution of £12,016 open space contribution is therefore required for the proposed residential and commercial development.

-Land Contamination

6.58 A condition is recommended in respect of testing and remedial measures to decontaminate the site in view of its previous use and proposed use for residential purposes.

-Community Safety

6.59 There would be restricted access to the proposed residential units and communal areas to provide a safe environment and prevent unrestricted public access to some areas that would not have natural surveillance. A condition is recommended to ensure detailed security measures are incorporated in the proposed scheme.

Crossrail

6.60 The proposal will be liable for the Mayor of London's CIL as the additional floorspace exceeds proposed new dwellings and exceeds 100sqm GIA.

6.61 Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £85,450 (1,709sqm x £50).

6.62 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 It is considered that the proposal would lead to an improvement in the character and quality of the local environment without reducing residential amenity or traffic safety. The proposal is for a mixed use scheme that will increase the local housing stock, and as such is welcomed by LDF policy.

7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following **Heads of Terms**:-

- A financial contribution of £21,496 for Education Contribution;
- A financial contribution of £38,864.67 to repave the footpath, to remove the existing vehicular crossovers and for environmental improvements to Dumpton Place;
- Open Space contribution of £12,016
- Securing of Sustainability Measures
- Renewable Energy Plan
- Car capped development;
- Requirement for affordable housing, should any change of use of the buildings or additional development result in more than 1,000sqm or 10 units or more of residential accommodation across the entire current application site.
- Construction Management Plan;

7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

8. **LEGAL COMMENTS**

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