

# **65 & 67 Maygrove Road West Hampstead London NW6**

## **Planning Statement**

**REP Maygrove Road LLP**

**Rolfe Judd**  
Planning

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# 1.0 Introduction

## 1.1 Summary

- 1.1.1 This statement has been prepared on behalf of REP Maygrove Road LLP ('the applicant') in support of an application for full planning permission to demolish the existing building and fully redevelop the application site at 65 and 67 Maygrove Road, NW6 to provide a range of sustainable high quality new homes. The proposed development will create 91 residential units in the form of flats with ancillary basement car & cycle parking and high quality landscaping.
- 1.1.2 In preparing this full planning application the applicant is making a commitment to London Borough of Camden ('the Council') to deliver a highly sustainable development which will regenerate the currently largely vacant site.
- 1.1.3 The proposed redevelopment of this site will contribute to the provision of housing for the Borough, including affordable accommodation and larger family housing and will utilise this principally brownfield site.
- 1.1.4 The proposed scheme includes both No. 65 and No. 67 Maygrove Road (unlike the previous submission) and it is considered that the comprehensive approach to the development of these two sites will deliver a high quality buildings in context with the surrounding buildings and a scheme which will respect the setting and character of the Maygrove Peace Park. The commissioning of Hopkins Architects to prepare a comprehensive design for the scheme demonstrates the applicant's desire to deliver exemplary sustainable design on a complex site.

## 1.2 Planning Statement

- 1.2.1 The purpose of this statement is to examine the planning issues raised by the current development proposals for the application site. In particular, this statement identifies and describes the key opportunities presented by the proposed redevelopment of two buildings which have reached the end of their useful life for a sustainable exemplary residential development.
- 1.2.2 The statement also provides a comprehensive analysis of the relevant planning policy framework at national, strategic and local levels. As such, our planning statement is structured as follows:

**Section 1: Introduction**

**Section 2: The Application Site and Surrounding Area** – sets the context the current proposal and provides a detailed description of the application site and its previous uses;

**Section 3: The Proposal** – describes the proposed development;

**Section 4: Policy Context** – summarises the planning policy relevant to this proposal at national, strategic and local levels;

**Section 5: Planning Considerations** – reviews the proposal in terms of the relevant policy context and other material considerations; and

**Section 6: Conclusion**

## 1.3 Supporting Application Documents

- 1.3.1 This planning statement should be read in conjunction with the following additional documents, which accompany the application:

- Plans, elevations and Section – prepared by Hopkins Architects
- Schedule of Accommodation – prepared by Hopkins Architects
- Design & Access Statement – prepared by Hopkins Architects
- Energy Statement – prepared by Greengage
- Code for Sustainable Homes Pre-Assessment – prepared by Greengage
- Ecology Statement – prepared by Greengage
- Transport Statement and Travel Plan – prepared by Paul Mew Associates
- Sunlight & Daylight Report – prepared by Schroeder's Begg
- Affordable Housing Policy Statement – prepared by Affordable Housing Solutions
- Marketing Report and Addendum prepared by Dutch and Dutch
- Tree Report – prepared by Wassells
- Basement Impact Assessment – prepared by Pringuer James

## 2.0 The Application Site and Surrounding Area

### 2.1 Site Description & Location

2.1.1 65 Maygrove Road is a mid-20th Century building comprising three storeys (ground plus two upper storeys) located on the north side of the road. Pedestrian access is provided from Maygrove Road with disabled access provided by a recently built access ramp. The existing building comprises vacant office accommodation accessed principally from a central entrance from Maygrove Road. The building was recently refurbished by the previous owner in an attempt to improve marketability of the space. This attempt failed and the building is now wholly vacant. A full marketing report is appended with the application from Dutch & Dutch highlighting how the building has been marketed without success for a period of five years.

2.1.2 Previously not within the scheme, No.67 Maygrove Road is a late 20<sup>th</sup> Century four storey building which is in office use at ground to second floor and has three residential flats at third floor. The building is currently in use on the lower floors as offices however the company which occupies the space will shortly vacate to more modern premises elsewhere in a more accessible location. A letter from Dutch & Dutch is appended to this Statement highlighting the shortcomings of the building for continued office use and the lack of demand for office accommodation in this location.

2.1.3 The combined floor area GEA of No. 65 and No. 67:

Ground: 1508sqm

First: 1355sqm

Second: 1171sqm

Third: 202sqm

**Total: 4,236sqm**

- 2.1.4 To the rear of the site is a large open car park accessed from Brassey Road. Assessing the space using normal parking standards the car park has space for 37 cars. However it is understood that the marketing brochure described the car park as having capacity for 53 car spaces. This higher figure was based on nose-to-tail parking, meaning the lower figure of 37 spaces is more realistic.
- 2.1.5 The site slopes down from north to south by approximately six metres with the floor level of rear car park, accessed from Brassey Road, corresponding with first floor level of the building. The site comprises an area of 0.32ha in total.
- 2.1.6 It is an accessible site, located mid way between West Hampstead and Kilburn stations with a PTAL rating of 5. A site location plan identifying the site and its surrounds is appended to this Statement (Appendix 1).

## **2.2 Surrounding Area**

- 2.2.1 Although none of the site is within a designated conservation area, the south side of Maygrove Road is characterised by three storey, bay-fronted, Victorian houses built from classic London stock brick. The north side of the road has historically has a more varied character, as evidenced by the commercial appearance of application site and the now-demolished motor vehicle repairs garage next door at No.59. Upon completion of the redevelopment at 59 Maygrove Road, the north side of the road will have a distinct, contemporary, residential character.
- 2.2.2 To the north and east of the site is a local park (Maygrove Peace Park) with well utilised play and sports facilities. The Sidings Community Centre is located to the north of the park and this provides a focus for the local community within the Sidings estate and the wider community. There is mixed use residential and commercial premises to the east including Maygrove House.

## **2.3 Relevant Planning History**

- 2.3.1 Permission was granted in March 2009 for additions and alterations to Handrail House including the installation of a new atrium with a glazed roof, installation of a ramp on the Maygrove Road frontage, metal railings at first floor level to the eastern side of the building, and alterations to the fenestration of the office building. This permission has been implemented.
- 2.3.2 The redevelopment of 59 Maygrove Road is also a material planning consideration. In particular, we draw attention to the permission granted on 20 October 2009 for
- Erection of part four, part five storey building to provide 15 x 1-bedroom supported housing units and 14 self-contained flats (1 x 3 bedroom, 6 x 2 bedroom and 7 x 1 bedroom) all affordable housing (Class C3) (following demolition of existing two-storey building previously used as a car repair workshop).
- 2.3.3 The 2010 permission has now been implemented. The proposed redevelopment of 65 Maygrove Road raises many issues which were considerations in the granting of permission for 59 Maygrove Road, not least the loss of employment floorspace and the redevelopment of the site as a wholly residential development.

2.3.4 In November 2011 a planning application was submitted by REP Maygrove Road Developments for redevelopment of No.65 Maygrove Road and the rear car park for 68 flats including 12 affordable units (subject to viability) (Application ref: 2011/6309/P). The scheme was the subject of significant pre application discussions with officers including meetings in August, September and November 2011. Meetings were also held with the ward councillor, Sidings Community Centre and Friends of the Peace Park to discuss the scheme and improvements to the area. A public exhibition was held on 14<sup>th</sup> and 15<sup>th</sup> October 2011 at site.

2.3.5 Further details of the consultation are set out in Section 6 Statement of Community Involvement.

2.3.6 Following discussions with officers the application was withdrawn in March 2012 in order to address a number of concerns raised. These concerns principally related to provision of car parking in the scheme, effect on trees neighbouring the site, internal layout of certain residential units and the access to the eastern block from behind no. 67 Maygrove Road. The Council had been provided with a confidential viability assessment but given the discussions on other matters this was not reviewed.

## **2.4 Pre-Application Advice and Public Consultation**

2.4.1 Following the withdrawal of the scheme in March 2012, the applicant and their project team have sought to work closely with the Council and the local community to address the concerns raised by officers and to continue to deliver the benefits of the scheme to the community. A key objective of bringing forward the scheme to deliver a successful development was the incorporation of No 67 Maygrove Road into the overall development. This building was previously excluded as it was not within the applicant's ownership and its presence made delivery of a high quality urban design solution to the site very difficult. The applicant has subsequently secured ownership of the site and a comprehensive approach can now be taken.

2.4.2 In order to develop an exemplary design approach to the site, the applicant has commissioned Hopkins Architects, an internationally renowned architectural practice to develop the scheme designs. Working closely with Hopkins are Mesh Landscape designers.

2.4.3 Throughout the evolution of the design of the proposed development, the design team and applicant have undertaken extensive consultation with local stakeholder groups, including the Council, community groups and local residents. As part of the current application, the team have undertaken the following consultation exercises.

2.4.4 Four pre-application meetings with planning and conservation officers have been held with Camden officers on 19 July, 30 August, 24 September and 19 October 2012. Further to these meetings a Planning performance Agreement was signed between the applicant and the Council in early October. This has set out the principles by which both parties will manage the application process with the objective of the application being presented to Committee in January or February 2013.

2.4.5 A meeting was held with members of the Sidings Community Centre and Friends of the Peace Park on 27 September 2012 attended by, the applicant, Rolfe Judd Planning and Hopkins Architects.

2.4.6 There has been formal public consultation via a Development Management Forum, held at the Sidings Community Centre in conjunction with the Council, on 3 October 2012 (attended by members of the public, ward councillor, community centre representatives, the applicant, Rolfe Judd Planning, Hopkins Architects). A copy of the notes from this meeting are appended to this statement (Appendix 2).

- 2.4.7 Additionally, the design of the current application has also drawn upon previous consultation undertaken for the earlier application (withdrawn) in March 2012 included two pre-application meetings with planning and conservation officers at Camden Council on 11 August 2011 and 29 September 2011; a meeting with ward councillor and Sidings Community Centre on 4 October 2011; and a public exhibition held on 14 and 15 October 2011.
- 2.4.8 The team have recently met Adam Lindsey the Council's Architectural Liaison Officer and have sought to incorporate the recommendations he has made in regard to the principles of the Secured by Design, by putting in security measures, including doors to meet SBD standards, CCTV cameras, lighting, and controlled access into all entry points of the building.

## 3.0 The Proposal

### 3.1 Proposed Scheme

- 3.1.1 Permission is sought for the redevelopment of the site to provide a mix of 91 one, two, three and four bedroom residential units. The scheme will provide a range of tenures and at present the scheme identifies the opportunity for 12 of the residential units to be affordable housing, however the number of units that will be identified as affordable is subject to a viability assessment using the GLA (3 Dragons) Toolkit.
- 3.1.2 The proposal is for the complete demolition of Nos. 65 and 67 Maygrove Road and the erection of one building of basement, ground and four upper storeys.
- 3.1.3 A full description of the design and materials to be used in the scheme is set out in the Design and Access Statement prepared by Hopkins Architects. The D & A Statement includes a Landscape Assessment by Mesh Partnership (Landscape Architects) setting out the principles for the delivery of high quality soft and hard landscaping throughout the scheme.
- 3.1.4 An accommodation schedule is appended to this statement setting out the range and size of units proposed (Appendix 4). The scheme will provide a range of units sizes however with 29 one bed, 45 two bed, 14 three bed and 3 four bed units. This will provide approximately 50% of the units as two beds and 19% as three bed or greater.
- 3.1.5 The proposal includes 10 car parking spaces for the market housing and 2 parking spaces for the affordable housing at upper ground level. In addition, 120 bicycle parking spaces will be provided within two cycle stores; one at ground level for the affordable homes and the other situated to the rear of the ground floor of the open market units.
- 3.1.6 The vast majority of the units will have their own amenity space either as balconies, terraces or gardens. There will be private communal amenity space to the rear of the site. The proximity of the Maygrove Peace Park provides ample access to public amenity space and there is a children's play facility directly adjacent to the application scheme, with additional play and sports facilities elsewhere in the park.
- 3.1.7 In response to the concerns raised by officers over the previous scheme the applicant has undertaken the following changes to the scheme:
- Instructed Hopkins Architects, a internationally renowned firm of architects to develop a comprehensive approach to developing No.65 Maygrove Road, No.67 Maygrove Road and the rear car park;

- Provided direct and attractive entrances to all units from Maygrove Road;
- Removed all private car parking spaces;
- Removed all access roads and parking to the rear of the site, creating an attractive landscape buffer zone to the park;
- Created new communal cycle and refuse/recycling provision in the basement;
- Reassessed the effect of the development on adjoining trees and vegetation and amended the scheme accordingly;
- Provided an innovative layout to the flats, reducing single aspect north facing units and ensuring all units provide a high quality living environment for residents;
- Reassessed the viability of the scheme following the introduction of the Community Infrastructure Levy in April 2012 and the loss of basement car parking.

3.1.8 The proposed description of development is therefore:

*“Demolition of nos. 65 and 67 Maygrove Road and the erection of a building comprising basement, ground and four upper storeys to provide 91 residential (Class C3) units, with the provision of 10 car spaces for disabled persons, 2 car club spaces, 120 cycle spaces and ancillary refuse storage at basement level and hard and soft landscaping to the rear.”*

## 3.2 Supporting Documents

3.2.1 As noted in Section 1, in addition to this statement the application is supported by a number of other key documents and supporting evidence. These documents and a summary of key considerations are set out below:

### **Design & Access Statement (Hopkins Architects)**

The design and access statement sets out the design considerations in developing the proposed redevelopment, highlighting key constraints and opportunities. The statement addresses each of the concerns raised at pre-application meetings and in public consultation and describes how these have been addressed.

### **Landscape Approach (Mesh Partnership)**

The design and access statement includes the landscape approach developed by Mesh Partnership which demonstrates how a series of soft and hard landscaping areas can be developed across the site.

### **Transport Assessment and Travel Plan (Paul Mew Associates)**

The Transport Assessment sets out an appraisal of the transportation issues relating to the site. The report considered that the proposed development is acceptable in transportation terms. A draft travel plan is included which demonstrates way to promote forms of travel which do not use private cars.

### **Sustainability (Greengage)**

In accordance with the NPPF and Camden's Development Policies DP22 and DP23, the scheme incorporates a



number of sustainable measures. It is anticipated that there will be a 25% saving in CO<sub>2</sub> emissions over the baseline scheme. The scheme will achieve a Code for Sustainable Homes rating of Level 4.

#### **Energy Strategy (Greengage)**

An energy strategy by Greengage sets out the energy consumption reduction for the proposed development. The proposed development is aiming to achieve a Code for Sustainable Homes Level 4 which involves demonstrating a 25% improvement in the Buildings CO<sub>2</sub> Emissions Rate over the Target CO<sub>2</sub> Emissions Rate.

#### **Ecology Report (Greengage)**

The site has extremely low ecological value which supports no habitats of significant value other than low potential to support birds and invertebrates. The redevelopment of the site offers a significant opportunity to improve the ecological value of the site. The report therefore recommends a raft of measures to achieve this objective.

#### **Preliminary Code for Sustainable Homes Assessment (Greengage)**

A preliminary Code for Sustainable Homes has been prepared. The report sets out the design teams commitments to achieve a CfSH Level 4 rating for the residential units of the proposed development in compliance with Camden's requirements.

#### **Daylight and Sunlight Assessment (Schroeder's Begg)**

The Daylight, Sunlight and Overshadowing assessment confirms that the scheme will have no significant effect on the level of daylight or sunlight received by adjoining properties. It also identifies that the internal daylight levels (measured through ADF) and sunlight levels within the proposed development demonstrates principal compliance with BRE and British Standards guidance.

#### **Affordable Housing Statement (Affordable Housing Solutions)**

The Affordable Housing Statement demonstrates how the scheme is in compliance with national, strategic and local policy guidance on the provision of affordable housing and how viability is an essential material consideration in respect of the determination of any scheme.

#### **Marketing Report on Office Demand (Dutch & Dutch)**

The Marketing Report sets out the strategy for marketing the offices from 2006-2009 and from 2009 onwards following the implementation of the planning permission to refurbish the building. The report demonstrates that there is little demand for Class B1 offices in this location due to its overwhelmingly residential character. An addendum letter issued by Dutch & Dutch in September 2012 highlights the shortcomings of No.67 Maygrove Road for continued office use and the lack of demand in this area for office accommodation.

#### **Arboricultural Survey & Method Statement (Wassells Arboricultural Services)**

The tree survey indicates that there are no trees on the application site. The nearest sensitive trees are in Maygrove Peace Park but are sufficiently distant from the areas of excavation that they will not be affected. It demonstrates that the proposed scheme will not harm any trees of significance.

#### **Air Quality Assessment (Entran)**

As the site is within an Air Quality Management Area, an assessment has been carried out to predict the likely effect of the development on air quality during the construction phase and the effect of the completed development on air

quality. The report concludes that the completed development will not materially affect air-quality, and the release of particulate matter during the construction stage can be adequately minimised and mitigated.

#### **Basement Impact Assessment (Pringuer-James Consulting Engineers Ltd)**

The basement impact assessment assesses the ground stability, hydrological conditions and the likely effect on the neighbouring park. The assessment concludes that the development is highly unlikely to harm to the built and natural environment and local amenity, result in any flooding, or lead to ground instability.

#### **Construction and Demolition Management Plan (Euro build)**

The construction and demolition management plan demonstrates how the scheme can be constructed (including demolition of the existing buildings) explains how the applicant intends to manage demolition and construction activities throughout the phased implementation of the scheme.

## **4.0 Relevant Planning Policies**

### **4.1 The Development Plan**

- 4.1.1 The legal framework for determining planning applications is set out within the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
- 4.1.2 These state that a local planning authority must have regard to the provisions of the development plan and other relevant material considerations when considering an application for planning permission; and that determination of the application must be in accordance with the development plan unless material considerations indicate otherwise. The Planning and Compulsory Purchase Act 2004 defines the development plan as the spatial development strategy (or SDS) and the development plan documents (taken as a whole) which have been adopted or approved in relation to that area.
- 4.1.3 For the proposed development, the relevant development plan therefore comprises the Mayor of London's Spatial Development Strategy for Greater London (the London Plan), the most recent adopted version of which was published in July 2011.
- 4.1.4 Under new provisions brought about by the Planning and Compulsory Purchase Act 2004, UDPs are to be replaced by a portfolio of planning documents called a Local Development Framework (LDF). The LDF will, when adopted, set out the local planning authority's spatial strategy and plan for development.
- 4.1.5 Camden has produced Core Strategy and Development Policies Documents. Both are advanced and have been approved by the Planning Inspector on 13<sup>th</sup> September 2010 and adopted by the Council in November 2010.

### **4.2 Government Guidance**

- 4.2.1 National Planning Policy Framework (NPPF) March 2012 – the NPPF sets out the Governments planning policies for England. The NPPF supersedes the myriad of Planning Policy Statements (PPS) and Guidance (PPG) documents. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF recognises that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the

need for the planning system to perform a number of roles, which are mutually dependent and should not be undertaken in isolation:

- 4.2.2 An Economic Role - contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying coordinating development requirements, including the provision of infrastructure;
- 4.2.3 A Social Role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and
- 4.2.4 An Environmental Role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.
- 4.2.5 The NPPF states that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as peoples quality of life, including
- Moving from a net loss of bio-diversity to achieving net gains for nature;
  - Replacing poor design with better design;
  - Improving the conditions in which people live, work, travel and take leisure; and
  - Widening the choice of high quality homes.
- 4.2.6 Chapter 1 of the NPPF 'Building a strong, competitive economy' states that planning should operate to encourage and not act as an impediment to sustainable growth and that significant weight should be placed on the need to support economic growth through the planning system. It notes that planning policies should '*avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose*' and as such '*land allocations should be regularly reviewed*' and that applications for alternative uses should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable communities.
- 4.2.7 Chapter 6 'Delivering a wide choice of high quality homes' states that housing applications should be considered in the context of the presumption in favour of sustainable development. In boosting the supply of housing local planning authorities should:
- Ensure that the Local Plan meets the full objectively assessed needs for market and affordable housing, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
  - Identify and update annually a supply of specific deliverable sites sufficient to provide 5 years worth of housing against their housing requirements with an additional 5% buffer to ensure choice and competition in the market for land. Where there has been consistent under delivery the buffer should be increased to 20%;
  - Identify a supply of specific, developable sites or broad locations for growth for 6-10 years and where possible 11-15 years;

- For market and affordable housing to illustrate the expected rate of housing deliver through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five year supply of housing land;
- Set out their own approach to housing density to reflect local circumstances.

**4.2.8** Paragraph 50 states that in order to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and med communities local planning authorities should:

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community
- Identify the size, type, tenure and range of housing required in particular locations reflecting local demand;
- Set polices to meet affordable housing need on –site (where need is identified) unless off-site provision or a financial contribution can be robustly justified.

**4.2.9** Paragraph 51 states that local planning authorities should identify and bring back to residential use empty housing and buildings. Authorities should normally approve applications for change to residential use and any associated development from commercial buildings (currently in B Use class) where there is an identified need for additional housing in that area.

**4.2.10** Chapter 12 Conserving and Enhancing the Historic Environment states that in determining applications local authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. It states that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

**4.2.11** In determining planning applications local authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

### **4.3 The London Plan**

**4.3.1** The London Plan was adopted in July 2011. For the purposes of dealing with planning applications, as opposed to the formulation of local planning policies, the London Plan sets out five strategic themes:

**4.3.2** **Policy 3.3 Increasing Housing Supply** states that the Mayor will seek to ensure the housing need is met, particularly though the provision consistent with at least an annual average of 32,210 net additional homes across London.

**4.3.3** **Policy 3A.2 Borough Housing Targets** advises that in LDF preparation, Boroughs should seek to exceed the relevant minimum annual average housing targets (which propose the provision of a minimum of 6,650 new homes within Camden over a 10 year period, i.e. 665 new homes annually).

**4.3.4** **Table 3.2 Density Matrix** provides guidance on the range of housing densities with regard to location and is a tool for increasing density in situations where transport proposals will change the public transport accessibility ranking. **Policy 3.4** seeks to maximise the potential for sites.

- 4.3.5 **Policy 3.8 Housing Choice** seeks new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups, all new housing is built to 'Lifetime Homes' standards and ten per cent of new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 4.3.6 **Policy 3.9 Mixed and balances communities** states that communities mixed and balanced by tenure and household income should be promoted across London through the incremental small scale and well as larger scale developments which foster social diversity. Redress social exclusion and strengthen communities send of responsibility for their neighbourhoods.
- 4.3.7 **Policy 3.10 Definition of Affordable Housing** sets out the Mayors definition of affordable housing. Affordable housing comprises social rented and intermediate housing.
- 4.3.8 **Policy 3.11 Affordable Housing Targets** states that the Mayor will and boroughs should, maximize the affordable housing provision and ensure an average of at least 13,200 more affordable homes per year in London over the term of the plan. The plan seeks 60% of the affordable housing provision should be for social rent and 40% for intermediate rent or sale.
- 4.3.9 **Policy 3.13 Affordable housing thresholds** states that Boroughs should normally require affordable housing provision on a site which has capacity to provide 10 or more homes.
- 4.3.10 **Policy 3.12 Negotiating affordable housing in individual private residential and mixed-use schemes** states that Boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes having regards to their affordable housing targets adopted in line with **Policy 3.11**, the need to encourage rather than restrain residential development and the individual circumstances of the site.
- 4.3.11 **Policy 5.3 Sustainable Design and Construction** – The highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.
- 4.3.12 **Policy 6.1 Strategic Approach** states that the Mayor will work with all relevant partners to encourage the closer integration of transport to encourage patterns of development that reduce the need to travel, especially by car.
- 4.3.13 **Policy 6.13 Parking** – the Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use.
- 4.3.14 **Policy 5.7 Renewable Energy** states that the Mayor seeks to increase the proportion of energy generated from renewable sources and expects that the minimum targets for installed renewable energy will be achieved.

#### 4.4 The Local Development Plan

- 4.4.1 The following policies are considered to be relevant to the consideration of this proposal:
- 4.4.2 The relevant Core Strategy policies are noted below:

CS1 – Distribution of Growth

CS3 – Other Highly Accessible Areas – Explicitly supports the development of homes in highly accessible areas, including the town centres of Kilburn High Road and West Hampstead, as well as appropriate edge of centre locations.

CS5 – Managing the Impact of Growth and Development

CS6 – Providing Quality Homes

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

CS17 – Making Camden a Safer Place

CS18 – Dealing With Our Waste and Encouraging Recycling

**4.4.3** The relevant Development Policy Documents policies are noted below:

Local Development Framework

DP2 - Making Full Use of Camden's Capacity for Housing

DS3 – Contributions to the Supply of Affordable Housing

DP5 – Homes of Different Sizes

DP6 – Lifetime Homes and Wheelchair Housing

DP16 -The 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

DP21 - Development connecting to the highway network

DP22 - Promoting Sustainable Design and Construction

DP24 – Securing High Quality Design

DP26 – Managing the Impact of Development on Occupiers and Neighbours

## 5.0 Planning Considerations

### 5.1 Loss of Employment Site

- 5.1.1 Policy DP13 seeks to retain buildings that are suitable for continued business use and will resist a change to non-business unless it can be demonstrated that a site is not suitable for any business use other than Class B1 (a) offices. In such circumstances, the policy states that the Council may allow a change to permanent residential use or community use.
- 5.1.2 The marketing report provided by Dutch & Dutch demonstrates that, despite extensive marketing over the last five years, there is little interest in Handrail House (no.65) from office occupiers. Indeed, the occupancy rate of the building has fallen in the same period.
- 5.1.3 The building was been refurbished in 1999 and 2008 to provide office accommodation on the ground floor and modern office accommodation on the first and part second floors. The remainder of the second floor is poor quality second hand office accommodation. Despite this, the building is now vacant with the final tenant vacating the building recently.
- 5.1.4 The offices have been actively marketed since at least 2006 when the anchor tenant, SPSS, gave notice of its intention to vacate the building. Between 2006 and 2009 the building was marketed by Dutch & Dutch and Godfrey Vaughan. The marketing strategy included sending a two page colour brochure to 750 local businesses on two occasions. Copies of the brochure were also sent on two separate occasions to approximately 500 London based office agents via the Estate Agents Clearing House. The property has also been actively marketed on the internet.
- 5.1.5 Ten serious enquiries were received between 2006 and 2009. However, these were from developers who wanted to purchase the freehold with a view to redeveloping the site. The marketing report shows that there were four enquiries from potential office occupiers. Of these four, two committed to renting space. However, one of the companies has now ceased trading while the other is the sole remaining occupant in the building. The other two potential tenants cited the residential nature of the street, lack of disabled access and the dearth of good quality local amenities as the principal reasons why they chose to rent office space elsewhere.
- 5.1.6 As a result of this unsuccessful attempt to let substantial floorspace within the building and the accompanying negative feedback, the building was remodelled to create a more impressive entrance and atrium, the provision of ramped access to the main entrance and the installation of lift access to the first and second floors. These alterations were granted planning permission in March 2009 (ref: 2009/0962/P) and were implemented soon after.
- 5.1.7 Following the refurbishment, Dutch & Dutch and MERJS – based in the West End – were instructed once again to market the building. A four page colour brochure was produced and sent directly to 1,075 local businesses on two occasions. Again, the brochure was circulated to 500 London based office agents and was actively market on the internet. In addition, a banner was displayed on the building, attached between the flag poles on the roof. An 'Offices to Let' board is currently displayed on the front elevation of the building at ground floor level.

- 5.1.8 The marketing exercise generated only four responses, none of whom were sufficiently interested to take out a lease. Consequently, the building was put up for sale in March 2011. All subsequent interest in the building has come from residential developers, with no interest at all from prospective office occupiers.
- 5.1.9 It is therefore clear that the marketing exercise has been active rather than passive, and the agent has used all reasonable endeavours to generate interest from potential office occupiers. The rental levels sought have been no more onerous than the prevailing market conditions and this is reflected in the fact that none of the interested occupants has cited excessive or unrealistic rental costs as a reason for declining to take out a lease.
- 5.1.10 It is clear that there is severely limited demand for office space in this area, which is exacerbated by the general decline in market conditions over the last two years. The layout, design and specification of the floorspace in Handrail House lends itself poorly to office space, having evolved from a purpose built factory. Crucially, the building's location within a predominantly residential area is hampering any attempts to attract occupiers.
- 5.1.11 With regard to No.67 Maygrove Road, the existing office tenants have confirmed that they are relocating to more modern offices elsewhere within the borough of Camden. This provided the opportunity to include this site with No. 65. Following detailed discussions on the previous scheme and on the guidance of the local planning authority, the applicant has purchased the site so that it can be included in the overall redevelopment.
- 5.1.12 The offices were built in the 1960s and are considered by the marketing agents to be below the high standards expected by prospective office tenants. In particular, they lack sufficient parking and servicing areas for deliveries and pick-ups and no secure cycle parking facilities. A letter from Dutch & Dutch (Appendix 3) is appended to the Statement highlighting the shortcomings of the existing building and lack of demand for offices in this location.
- 5.1.13 No.67 suffers from the same locational constraints as Handrail House, namely that it is located in a predominantly residential area which lacks the prestige of other office destinations both within the borough and in the immediately neighbouring boroughs. Despite its relative closeness to the stations at Kilburn and West Hampstead, the marketing of Handrail House has shown that tenants consider the office location would severely hamper the recruitment and retention of staff because of its distance from major transport hubs such as the mainline rail termini.
- 5.1.14 The offices also require extensive refurbishment before they could be offered to the market. Given the obvious and proven lack of demand for offices in this location, such an investment would not be viable. In fact, there is a strong likelihood that upon vacation of the offices by the current occupiers, the offices would remain unlet, with little interest from potential occupiers, for at least the next two years.
- 5.1.15 Of material importance is the implemented permission for the adjacent site at 59 Maygrove Road which also permitted the loss of a business use. In that instance, the site had been used as a motor vehicle repair garage and had been vacant for two years. The officer's report to committee acknowledged that the key issue was not necessarily whether the applicant had provided sufficient evidence of lack of demand for a Class B1(c) use, rather the issue was how to strike a balance between the competing policy requirements of protecting employment uses and providing much needed homes in the borough. In the case of 59 Maygrove Road, greater weight was ultimately given to the provision of housing, despite the officer concluding that the applicant's argument in terms of insufficient demand was weak and lacking justification.



- 5.1.16 In contrast with the neighbouring site at No.59, the marketing case for No.65 is compelling. This site is manifestly unsuitable for office use and any insistence that the site should remain in Class B1 use will inevitably result in the building remaining vacant and unused for years to come. This would be in direct conflict with LDF policy DP13 and paragraph 51 of the NPPF which states that local planning authorities should normally approve applications for housing on land that was previously in the B use classes, particularly where there is an identified need for additional housing in the area. The caveat is that there should not be strong economic reasons why such development would be inappropriate.
- 5.1.17 The Council's Annual Monitoring Report for 2010/11 demonstrates that a total of 81,733 sqm of Business (B1) floorspace was completed in 2010/11, representing a net increase of 19,537sq m. The report notes that B1 completions have increased year on year over the last five years up to 2010/11. The Kings Cross redevelopment, upon completion, will alone provide 444,327sqm of Class B1 office space. The supply of employment land – particularly Class B1 offices – is therefore considered to be healthy. The proposed redevelopment of Maygrove Road will not materially harm the supply of employment land within the borough.
- 5.1.18 For the reasons set out in the preceding paragraphs of this statement, there are no strong economic reasons for retaining either 65 or 67 Maygrove Road for Class B1 use given the desperate need for housing and the continued delivery of modern, high-specification commercial office elsewhere within the borough. The proposed redevelopment of the site for housing is therefore in accordance with paragraphs 22 and 51 of the NPPF as well as policy DP13 in the LDF Development Policies.
- 5.2 Meeting the Need for Homes**
- 5.2.1 The NPPF highlights three strands of sustainable development: economic, social and environmental. The delivery of housing is identified in the social strand as being one of the key elements in supporting strong, vibrant and healthy communities by meeting the needs of present and future generations. The role of housing is therefore pivotal in the national as well as more local context.
- 5.2.2 Paragraph 23 of the NPPF recognises that residential development can play an important role in ensuring the vitality of town centres and that residential development should be encouraged on appropriate sites. This is lent further support by paragraph 49 of the NPPF which states that housing applications should be considered in the context of a presumption in favour of sustainable development.
- 5.2.3 The proposed redevelopment of the site maximises the potential for the provision of housing, taking into account the prevailing scale of residential development elsewhere in Maygrove Road and the surrounding streets. The site might reasonably be characterised as a windfall site, given that it does not fall within any formally designated site allocation. This is an underused site, recognised by policy DP2 as being an ideal site for the delivery of market and affordable housing. The incorporation of No.67 into the adjoining development site of no.65 Maygrove Road provides the opportunity to maximise the number of additional units that can be achieved whilst not harming the character of the area nor having an unacceptable environmental effect on the local area.
- 5.2.4 The scheme involves the creation of a total of 91 residential units in a highly sustainable location. This will assist the Council in meeting its target of over 6600 new homes by 2021.

- 5.2.5 The scheme will provide both market and affordable homes. At present the number of affordable homes is identified as being 12 units located to the east of the site. These units include 3 four bed flats with private garden access, 6 two bed flats and 3 one bed flats. However the overall quantum of affordable housing as a percentage of the total residential floor area is subject to a viability assessment being undertaken by the applicant in consultation with the council's viability assessor. This exercise is being undertaken using the GLA toolkit assessment which demonstrates the level of affordable housing that the site can sustain. The provision therefore of the number of affordable units may change and is subject to further discussions between the applicant and the Council.
- 5.2.6 An important part of these negotiations will relate to identifying what other uses could be acceptable to the Council on this site which would not include provision for affordable housing. This 'Alternative Use' is an essential part of the viability assessment. In discussions with the Council it has been identified that a development for student housing (sui generis) in this location in a broadly identical envelope of building would be acceptable in respect of the planning policies of the Council.
- 5.2.7 Based on the guidance in DP9 and in CPG2 and recent case at Bentley House it is considered that subject to suitable restrictions on occupancy to students studying in Camden HEI's or in HEI's of neighbouring borough, provision of a robust student management plan and keeping below 250 beds that the principle of student housing would be acceptable in this location which is not considered to be one with a high student population. On this basis the use of student housing as an alternative use for valuation purposes is considered wholly appropriate. A briefing note is appended to the Statement setting out the reasons why student housing would be an acceptable use in this location (Appendix 5).
- 5.2.8 In terms of housing mix, the scheme will provide a range of units sizes with 29 one bed, 45 two bed, 14 three bed and 3 four bed units. This will provide approximately 50% of the units as two beds and 19% as three bed or greater. Policy DP5 places a very high priority on providing two bedroom units, with the aim that 40% of the units will have two bedrooms. The proposed scheme comfortably meets the policy requirement.
- 5.2.9 The proposal provides 10% of the residential units to be accessible by a wheelchair user.
- 5.2.10 Level access is provided to all of the units, with step-free thresholds to the main entrances and lift access to all floors. Without exception, the units are all capable of meeting Lifetime Homes standards, again in compliance with DP6. Please see the Design and Access Statement for details of the accessibility of the units.

### **5.3 Promoting Sustainable and Efficient Transport**

- 5.3.1 The site has a PTAL 5 rating which demonstrates that a good level of public transport is accessible within the vicinity of the site.
- 5.3.2 In accordance with policy DP18, no parking will be provided for residents. However, given the requirement for at least 10% of the flats to be wheelchair accessible, basement parking spaces will be provided for the disabled residential units which equates to 10 parking spaces for disabled persons.
- 5.3.3 Two parking spaces are provided to accommodate a private car club. The club will be for the exclusive use of the occupiers of the flats and will be funded through the annual service charge paid by residents to the management company. The spaces will have electric charging points and it is expected that both would be low emission vehicles. Whilst this is a not a public scheme it is provided at the applicants own cost and risk and it is considered that the

availability of two 'communal' cars within the scheme would be popular. There is no risk that these spaces would become private spaces in the future as there would be on site management of the development which would enforce against any unauthorised parking. In respect of the risk that these spaces would become private spaces, it is far more attractive for the developer to offer all units the use of car club spaces than provide only two units with a car parking space. This arrangement is also far more likely to persuade residents not to seek to find alternative car ownership/parking arrangements within the vicinity.

- 5.3.4 The inclusion of two car club spaces recognises that residents will on occasion need to use a car however does not provide individual private parking spaces. The use of a shared car club facility and the use of low emission vehicles are considered to be in accordance with the aims of DP18 to encourage the use of more sustainable modes of transport by residents in Camden.
- 5.3.5 The proposed parking provision is fully in accordance with the reasoned justification for policy DP18, namely:
- freeing space on a site from car-parking, to allow additional housing, community facilities, play areas, amenity spaces and cycle parking;
  - enabling additional development where parking provision would not be acceptable due to congestion problems and on-street parking stress;
  - helping to promote alternative, more sustainable forms of transport.
- 5.3.6 The basement parking for the two car club spaces and the 10 disabled parking spaces utilises a basement area that is physically incapable of providing additional housing, community facilities or amenity spaces. The proposal includes a policy compliant provision of cycle parking.
- 5.3.7 A total of 120 bicycle parking spaces will also be provided for residents in accordance with the Council's standards. The bicycle stores will be located within the basement, thereby ensuring that they meet the standard requirements of being covered, secure and well lit. The cycle stores will be accessible by using the lifts in the cores or by using the car lift access directly from Maygrove. This is in accordance with the requirements of policy DP17.
- 5.3.8 The accompanying report from Paul Mew Associates demonstrates that the development of 91 residential units is unlikely to have any significant impact on existing traffic and highways conditions as a result of trip generation.
- 5.3.9 The basement car park will be accessed via a vehicular entrance from Maygrove Road leading to a car lift. Given that the parking is limited to just ten disabled spaces and two car club spaces, the vehicular movements are highly unlikely to lead to any congestion or backing up of cars on the highway.
- 5.3.10 The swept path drawings demonstrate that the access and egress on Maygrove Road is sufficient and that the parking positions at basement level can be manoeuvred into with ease.
- 5.3.11 The application is accompanied by a Draft Travel Plan which aims to reduce the impact of the proposed development by promoting sustainable modes of transport. The site is situated in an area with good public and sustainable transport links. These links would be promoted as part of the Final Travel Plan.
- 5.3.12 Thorough regular monitoring of the scheme will identify targets, and assess to what extent they are being reached over the life of the scheme. The reporting of progress will be carried out in consultation with the local authority.

5.3.13 The Travel Plan will be implemented on the occasion of the new development being brought into use.

## 5.4 High Quality Design and Landscaping

### Height, Bulk and Massing

5.4.1 The proposed scheme represents an exemplar redevelopment of this previously developed site. As noted previously incorporation of No.67 Maygrove Road into the scheme allows a comprehensive design approach to be taken. The Design and Access Statement prepared by Hopkins Architects set out the design rationale for the scheme, identifying differing options which were reviewed and why most of these were not pursued. The scheme was subject to detailed negotiations with planning officers and the comments received from officers have been incorporated into the scheme. The comments included:

- Amendments to the building line
- Reducing single aspect flats
- Reducing corridor lengths
- Use of materials

5.4.2 The proposed scheme now provides a basement, ground and four storey building; with its principal façade to Maygrove Road on a similar building line to No.59 Maygrove Road with a set back to the east where the property boundary is inset.

5.4.3 The demolition of No 67 Maygrove Road has offered the opportunity to create a coherent, continuous frontage to the north side of Maygrove Road, which compliments the residential properties opposite but also arguably enhances the quality of the entire street. The massing and form of the building are taken from the context of the Victorian residential buildings in Maygrove Road and the adjacent modern No 59 Maygrove Road which has set the precedent and development height on this north side of Maygrove Road. Likewise the floor to floor heights of the building relate to the adjacent residential properties scale and proportion. The building has 4 storeys of accommodation, an attic and a lower ground floor.

5.4.4 The development has two contrasting elevations and a clear distinction between 'front' and 'back'. The strong terrace frontage along Maygrove Road contrasts with the more private rear elevation. The massing towards the Peace Park has a different relationship to the street it faces, Brassey Road. The 'E' shaped arrangement avoids a street frontage on this side and allows for areas of terraced landscaping from the Peace Park down to the rear of the new building. It is a much more open and permeable edge. Due to the change in level at the rear of the site, only the upper levels of the new building will be visible from Brassey Road and the Peace Park.

5.4.5 The elevations of the building were developed at both the whole scale of the terrace and the smaller scale of individual bays. Key elements of the façade are:

- The Whole Terrace Scale: Mapping out of the broad height and width of the building frontages along the street.

- Bookends: In keeping with the typical London terrace, two 'bookends' are placed at either end of the terrace to formally begin to break up the long elevation and create a composition.
- Residential blocks and Entrances: Taking from the rhythm and scale of the Victorian mansion blocks and houses, the elevations are further broken down into blocks, and articulated with spaces or 'gaps' between. Like traditional London terrace architecture, the design seeks to establish horizontal and vertical variety, while maintaining a consistent overall language. Different building blocks break up the overall scale, while a variety of window types bring further articulation across the facades.
- Vertical Hierarchy: A clear vertical hierarchy is established with ground, 'middle' and 'attic' story. The 'readable' ground floor relating to the street with the entrances clearly delineated, and the penthouse floor set back from the main facade line and more lightweight in character.
- The Overall Composition: The 'tartan' pattern of all the elevational strategies overlaid creates a rich and detailed facade, but also one which is legible and readable. Articulated strips break up the massing and allow the building parts to read as single entities. Strips of articulated material reference functions such as cores and entrances offer breaks in the facade.

**5.4.6** The fourth floor penthouses are set back from the Maygrove Road elevation in order to reduce the impact of the building as it aligns with the development at No.59.

### **Materials**

**5.4.7** The palette of materials takes inspiration from the area. It is the intention to select a simple palette of robust, good quality materials for the elevations to the new 65-67 Maygrove Road. The primary materials proposed are

- Warm light red brick, good quality, handmade.
- Glass
- Timber panels and boarding
- Metal elements with a warm grey metallic finish (bronze anodised aluminium or similar)

**5.4.8** In respect to the brick, initially a traditional London stock brick was considered, but later discounted due to the wish to delineate the new building from No 59 Maygrove Road with its light buff brick. Finally a warm light red brick was selected as the facing bricks for the new building. The existing Handrail House is made from red bricks and thus the use of red bricks in the new building gives some continuity and connection to the original building on the site. These compliment the other facade materials selected such as the timber panelling and warm grey coloured metal accents, and will coordinate with the many different kinds of brick in the buildings setting. All of the materials are intended to be detailed carefully but simply.

### **Landscaping**

**5.4.9** Landscaping is a key element in the overall design of the scheme, incorporating hard and soft landscaping to the front and rear of the site as well as green roofs. The Design and Access Statement includes a document prepared by Mesh

Partnership which demonstrates the landscape approach taken and the quality of the proposed landscaping in greater detail.

- 5.4.10 The site currently contains no trees of significance. There are, however, a number of existing trees to the boundary of the site, particularly with Maygrove Peace Park, which are covered by the Wassells Arboricultural Services report 'Site Specific Arboricultural Survey & Method Statement' submitted with the planning application.
- 5.4.11 Within the development site it is proposed to plant a range of appropriate trees, to complement the surrounding mature trees, to help screen the retaining wall to the northern edge of the site and to create character within the garden spaces.
- 5.4.12 Species chosen are small-to-medium-sized trees with interest at different times of the year; the Japanese Maple and Cherry selected provide a link back to the Peace Park. The native Wild Cherry has been chosen to complement the existing Wild Cherries to the boundary of the Peace Park.

### **Refuse and Recycling**

- 5.4.13 The provision for the storage and disposal of waste on this site has been thoroughly investigated to provide adequate and acceptable means of disposal and collection. The space allocation has been established in reference to Camden's policy on storage and collection requirements for guidance on the storage capacity required.
- 5.4.14 The refuse strategy for this scheme has been conceived to maximise ease of off loading residential waste to a central basement collection store initially. This waste is then brought to a temporary collection point at Brassey Road for municipal collection by the London Borough of Camden. It is envisaged that this collection point would be used twice a week and facilitates roadside parking and loading/ unloading of refuse. The transfer of refuse bins from the basement level bin store to the temporary collection point of Brassey road would be carried out by building management.

### **5.5 Managing the Impact of Development on Occupiers and Neighbours**

- 5.5.1 The massing and orientation of the proposed development takes into account the requirement to respect the amenity of existing residents whose properties lie in close proximity to the application site. Given the location and orientation of the scheme there will be no adverse effect on the privacy of residents living on Maygrove Road or Brassey Road.
- 5.5.2 A comprehensive daylight and sunlight report has been carried out by Schroeder's Begg which assessed the effect of the proposed development on all neighbouring buildings and the quality of light that will be received from the new residential units.
- 5.5.3 The Report concludes that:

*The findings detailed in this daylight and sunlight report shows that the proposals will have very minor effects on the standards of daylight and sunlight to the surrounding properties. We assessed the vertical sky component values for the surrounding windows and all of the surrounding buildings have VSCs that are either over 27% or show reductions of less than 0.2 times the existing, such that the reductions are not noticeable.*

*In terms of sunlight, the alterations to the sunlight reaching surrounding buildings is only affected to very slight degrees and in no case to a noticeable extent. In summary there are no adverse effects that could be considered material on any of the surrounding buildings in terms of daylight and sunlight.*

*In terms of the “self-tests” on the proposed new building, the findings are that in terms of Average Daylight Factor, the rooms all satisfy the BRE Guide and BS 8206 criteria, the Daylight Distribution to most rooms is at or over 80% and where sunlight is to be considered, almost all the living rooms also attain the recommended levels set out in the BRE Guide.*

*On the basis of the analysis as described and set out in this report, we consider that Daylight and Sunlight considerations are ones on which the proposals should be approved.*

- 5.5.4 The report concludes that none of the residential buildings on the south side of Maygrove Road or any of the houses on Brassey Road will suffer any material loss of daylight or sunlight.
- 5.5.5 The daylight and sunlight report demonstrates that all habitable rooms within the new development will receive adequate levels of daylight through assessment using Average Daylight Factor, which is normally considered the most comprehensive method of evaluation.
- 5.5.6 In respect of sunlight Schroeder’s Begg has identified that the vast majority of windows will achieve adequate provision of sunlight throughout the year. A number of rooms at the lower levels of the building to the west of the site may receive less than adequate levels of light; however these are limited in number.

## **5.6 Community and Open Space Provision**

- 5.6.1 As the application site is close to Sidings Community Centre and adjacent to Maygrove Peace Park, the applicant proposes contributions towards future improvements to the Sidings Community Centre and to the facilities within park. This figure has been calculated using the formula set out in CPG8. This will be secured under the terms of a Section 106 Agreement.
- 5.6.2 The issue of continued maintenance of the Peace Park and the possibility of contributing to future improvements has been a key strategic aim throughout the development of this proposal and it has gathered considerable public support from neighbours who attended the public exhibition. The allocation of this funding directly and exclusively to the Peace Park is in accordance with the guidance set out in the NPPF.
- 5.6.3 Nearly all residential units will benefit from private amenity spaces in accordance with the requirement of CPG2 (Housing) to provide amenity space with a depth of no less than 1.5m.
- 5.6.4 In addition, the development provides communal open space in the form of landscaped gardens planted with a mix of shrubs that will provide year round interest and habitats for wildlife, in accordance with LDF policy DP24. The open space and green roofs are assessed in the accompany Ecology Report prepared by Greengage.

## **5.7 Sustainability**

### **General Principles**

- 5.7.1 The proposed development seeks to optimise the use of land by developing a previously used brownfield site which will contribute to the regeneration of the borough.
- 5.7.2 In order to meet the expectations of the borough's policy on energy, consideration will be given to measures such as passive design features using the building fabric. This will help to reduce the energy consumption and associated carbon dioxide emissions from the development.
- 5.7.3 To reduce pollution associated with increased private car use – such as CO<sub>2</sub>, NO<sub>x</sub> particulates emissions, noise, and congestion – the excellent local public transport opportunities will be highlighted to all building users. Nearby London underground and bus services provide easily accessible routes from the application site into all areas of London and other destinations. Although the development will include car parking provision, it will also incorporate cycle storage facilities to help encourage alternative forms of transport and limit dependency on private car use.
- 5.7.4 The proposed development will address waste minimisation at the early design stage to reduce waste arising during both the construction and operational phases.
- 5.7.5 Potential forms of pollution arising from the construction of the proposed development will aim to be prevented through the use of sustainable construction methods and good site practices. In addition, where possible during construction materials will be selected for their minimal environmental impacts. The application is accompanied by an Air Quality Assessment which concludes that the release of particulate matter (i.e. dust) from the demolition and construction can be adequately controlled and mitigated. The completed development will not affect the overall level of air quality in this part of the borough.
- 5.7.6 In an effort to meet the Council's aims to reduce water consumption, the design of the building will take into account the incorporation of water efficient appliances. Green roofs will also be specified, which will result in a beneficial impact to the control and management of surface water run-off.
- 5.7.7 The ecological impact of the development has also been considered. Due to the re-use of a previously developed site within an urban area, the existing condition is considered to be of low ecological value. Soft landscaping and measures to attract native fauna will help to enhance the biodiversity and ecological value of the site.
- 5.7.8 Finally, the residential nature of the proposed development will integrate well with existing development within the West Hampstead area, will contribute towards the demand for additional housing, and through good design, will help to promote a healthy and comfortable internal environment for its residents.

### **Biodiversity and Ecology**

- 5.7.9 The site has been assessed by Greengage in order to establish the ecological value of the site and its potential to support notable and/or legally protected species. Information from the survey was used to identify credits that are likely to be awarded, where possible, for the Code for Sustainable Homes Ecology Category.
- 5.7.10 The application site has areas of building, hardstanding and limited numbers of introduced shrubs. As such, the ecological habitat variety is limited and there is a low potential for nesting birds in areas of scattered scrub and scattered trees bordering the site. The report confirms that, when considered as a single ecological unit, the site cannot be determined as having ecological value as it supports no habitats of significant value other than low potential to support birds and invertebrates.



- 5.7.11 Core Strategy policy CS15 and LDF policy DP22 require development to enhance biodiversity and ecology. The provision of a green roof is proposed. In addition, the buildings will accommodate bird boxes, hedgehog houses and a range of insect attracting measures to provide habitats for native insects. A planting strategy incorporating vertical greening measures such as wall climbing plants will also be implemented.

### **Energy Strategy**

- 5.7.12 Both buildings will conform to the principles of the energy hierarchy that provides a set of guiding principles to reduce energy consumption and associated carbon emissions. Consequently, the energy strategy focuses on incorporating energy efficiency measures into the design of the dwellings before the application of low or zero carbon technologies.
- 5.7.13 Taking into account best practice guidance for passive energy efficient design published by the Energy Savings Trust (EST), the dwellings will exceed the 2010 Building Regulations Part L1A Target Emission Rating (TER). The proposed development as a whole will achieve a 5-10% reduction against the TER through the use of energy efficiency measures alone.
- 5.7.14 In response to the second tier of the Energy Hierarchy, a preliminary investigation into the appropriateness of connection to existing or proposed district heating schemes has been undertaken. Unfortunately, due to the distance between the proposed development and other schemes, installation costs are prohibitive to connection. Additionally, as part of the second tier of the Energy Hierarchy, a stand-alone communal heating scheme incorporating a Combined Heat and Power (CHP) engine for the proposed development has been undertaken.
- 5.7.15 As the proposed development is seeking to achieve a Level 4 under the Code for Sustainable Homes it must demonstrate that it has met the mandatory requirement under 'Ene1', which is equivalent to a 25% improvement against the baseline 2010 Building Regulations. However, the CSH does not require unregulated emissions to be included as part of the assessment method. Consequently, when these are removed from the energy calculations using the building compliance Standard Assessment Procedure (SAP), the proposed development meets the 25% target for emissions reduction.
- 5.7.16 The proposed development can achieve a 25% carbon dioxide saving as a result of the inclusion of energy efficiency measures and CHP beyond the energy baseline demand of both regulated and unregulated emissions.

### **5.8 Basement Impact Study**

- 5.8.1 The scheme includes a basement under the majority of the site. Given general concerns within the borough about provisions for basements, officers had previously requested a justification as to why the basement has to be excavated. There are two reasons for the size of basement proposed; the number of functions required and the structural issues. The structural reasons are set out in the Basement Impact Assessment prepared by Pringuer James Consulting which is submitted with the application.
- 5.8.2 This states that the proposed development at 65 & 67 Maygrove Road includes a single basement level extending across part of the site. The site varies in level rising from Maygrove Road to Brassey Road. The proposed basement structure should be formed at the depth proposed and over the extent on plan, due to three structural reasons:
- (i) Large areas of the site form a 'Land Fill' area with significant non-engineered made ground that is unsuitable for building upon.

(ii) The soil beneath the 'made-ground' is a desiccated London Clay at risk of heave.

(iii) Foundations at dissimilar levels are subject to differential settlement.

**5.8.3** The site forms part of the former West Hampstead Railway sidings and the nature of the made ground means that sheet/contiguous piling arrangement is required around much of the boundary of the site to provide structural stability. In order to construct sheet/ contiguous piling requires the made ground to be removed. It is not practical or reasonable to backfill this additional space rather than make beneficial use of the additional space.

**5.8.4** The proposed basement has to accommodate a number of functions within it. Firstly there are the lower floors of the duplex units located to the front of the basement. Secondly as noted above there is a need to provide 10 car spaces for disabled persons, 2 car club car spaces, access to the car lift from the street and space for manoeuvring. There is a necessity to provide 120 cycle spaces and plant for the building as well as access to the refuse store via a lift.

## **5.9 Safe and Secure Environment**

**5.9.1** The proposal has been guided by the principles of Secured by Design in order to reduce the opportunity for crime, the fear of crime, and create a safer and more secure environment. Two meetings have been held with Adam Lindsey, Crime Prevention Design Adviser at Holborn Police Station including a recent meeting in October 2012. At an earlier meeting Mr Lindsey suggested the following measures:

1. Doors. All communal and residential and access to the building doors to be BS PAS 23/24 or suitable alternative standard.
2. Windows. All accessible opening windows to be BS 7950 with 6.4mm laminated glass.
3. Access control. FOB access control to be used around the building including access from the car lift. Suggested fob control or similar on the external refuse lift.
4. Post to be delivered to a concierge and then to an internal post box.
5. Utility meters should be located in a central location or to the exterior of the building to prevent unnecessary entry to the building.
6. Lighting should be to a uniform level to BS 5489.
7. Recommended 24 hour concierge employed at this development.
8. Recommended CCTV and alarms be considered.
9. Suitable gating to be used for the vehicle lift to prevent unauthorised entry. Activation of the lift will be fob controlled.

### **Natural surveillance**

**5.9.2** The design strikes a balance between creating public and semi-private amenity areas that are readily visible yet do not infringe on privacy. The basement parking is secure and is accessible only to residents.

### **Access and footpaths**

- 5.9.3 The entrances to the buildings will be clearly defined and well lit. Care has been taken to ensure that there are no dark or secluded areas which would add to the risk of crime, be it actual or perceived. The market housing will have a concierge at ground floor level. The concierge will be responsible for monitoring the safety of the market and affordable housing blocks.
- 5.9.4 The pedestrian entrance to the affordable housing on Maygrove Road will be gated, with only the residents of this block having access.
- 5.9.5 The cycle storage will be in a safe, secure and well lit location with access provided only from within the site.

### **Open space provision and management**

- 5.9.6 The communal garden space to the rear of the development has been designed to be an attractive open space. It is a secure environment, accessible only by residents of the development. It will be maintained by the management company which will oversee the day-to-day management of the whole site.

## **5.10 Section 106 Planning Obligation**

- 5.10.1 In accordance with the guidance set out in CPG8, and following discussions with officer the following have been identified as 'potential' heads of terms for the Section 106 agreement. The contributory terms below are therefore subject to amendment or deletion:

- Affordable Housing
- Car Capped Agreement
- Retention of design quality
- Community Facilities contribution
- Open Space contribution
- Education Contribution
- Construction and Demolition Management Plan
- Employment and Training
- Highways costs and level plans
- Environmental improvements contribution
- Local Procurement for construction
- Retention of Wheelchair Units

- 5.10.2 The proposed application scheme will be liable for the Mayoral Community Infrastructure Levy (£50/sqm on new build GIA floorspace), unlike the previous scheme which was predicated on no CIL payments and this will have a significant impact on the overall viability. The addition of No. 67 Maygrove Road into the scheme has benefited the development of the site enormously however the land was secured at a premium and the value of this land has to be taken into consideration when considering viability. This impact on viability is further exacerbated by the removal of the car parking spaces from the scheme which have had a negative effect on the values of the open market residential units.
- 5.10.3 As noted previously an assessment of the scheme viability is being prepared and will be submitted to the Council for consideration (on a confidential basis), this will determine the amount of contributions (including affordable housing) the scheme can afford.

## 6.0 Statement of Community Involvement

- 6.1.1 This statement set out consultation undertaken by the applicant with key stakeholders and the local community.
- 6.1.2 The Localism Act became law in November 2011. The Act amends the Town and Country Planning Act 1990 and creates several obligations for potential applicants. There is a requirement to carry out pre-application consultation for all planning applications, publicising the proposal and consulting with residents in the vicinity of the land concerned. This gives local people a chance to comment when there is still genuine scope to make changes to proposals.
- 6.1.3 In particular, the pre-application consultation must:
- (a) set out how the person proposing to make an application may be contacted
  - (b) give information about the proposed timetable for the consultation, allowing sufficient time for those wishing to comment to do so in good time;
  - (c) have regard to the local planning authority about local good practice;
  - (d) take account of responses to the consultation;
- 6.1.4 Additionally the Government has used the Localism Act to clarify the rules on 'predetermination'. Previously in some cases councillors were warned off doing such things as campaigning, talking with constituents, or publicly expressing views on local issues, for fear of being accused of bias or facing legal challenge. The Localism Act makes it clear that it is proper for councillors to play an active part in local discussions, and that they should not be liable to legal challenge as a result. This will help them better represent their constituents and enrich local democratic debate.
- 6.1.5 Consultation on the proposals for the development of this site have been on going now for over a year, initially for the first scheme submitted in December 2011 and latterly with the current development proposals.
- 6.1.6 A meeting was held with the Ward Councillor and the Sidings Community Centre on 4<sup>th</sup> October 2011. At the meeting the proposed scheme was explained. The Community Centre identified at the meeting a number of areas in the park which required additional investment and it was agreed that the applicant would discuss with officers targeting Section 106 contributions to the Peace Park to benefit local residents. The suggested improvements included:
- A new Café/kiosk adjacent to the community centre

- Improved landscaping to the car parking area and new seating new close to the cafe
- New surfacing for the all weather pitch
- New fencing

6.1.7 A public exhibition was held on site on 14<sup>th</sup> and 15<sup>th</sup> October 2011. Over the two days more than 40 residents visited the exhibition. Residents from a wide geographical area were invited and almost all residents warmly supported the scheme. The benefits the development would bring to the Peace Park through Section 106 contributions were welcomed.

6.1.8 Following withdrawal of the application in March 2012, further discussions were held with planning and design officers and a further round of consultation events proposed prior to the resubmission of the scheme.

6.1.9 A meeting was held with the Sidings Community Centre on 27 September 2012. At the meeting the proposed scheme was explained. The Community Centre identified at the meeting a number of areas in the park which required additional investment and it was agreed that the applicant would discuss with officers targeting Section 106 contributions to the Sidings Community Centre and Maygrove Peace Park to benefit local residents. The suggested improvements included:

- A new Café/kiosk adjacent to the community centre
- Improved landscaping and lighting to the car parking area and new seating new close to the cafe
- New surfacing for the all weather pitch

6.1.10 A Development Forum was held at the Sidings Community Centre on 3<sup>rd</sup> October 2012. The forum was well attended with over twenty local people as well as three ward councillors attending the meeting. Appended to the Statement are minutes of the meeting provided by the Council.

6.1.11 There was general support for the scheme at the Development Forum. The key relevant issues raised are noted below with an added response as to how these are addressed:

- Amount of parking: The area is within a CPZ and the Council seeks car capped and car free development. The scheme will only provide 10 spaces for disabled persons and 2 car club spaces.
- Removal of the former uses: Marketing evidence has been presented demonstrating there is no demand for the former office uses
- Subsidence and structural integrity: The application includes a BIA which demonstrates how the scheme will be built without impacting on the structural integrity of neighbouring properties
- Height: The design and access statement demonstrates how the scheme matches the height of N.59 Maygrove Road and is in context with surrounding heights.
- Relationship to park: The D & A and Landscape Approach demonstrate how the scheme complements the park.

- Need for contributions to the Sidings community Centre and peace park: The applicant is willing to make a contribution through a Section 106 towards improvements to the Sidings community Centre and Maygrove Peace park.

6.1.12 All of the issues raised at the Development Forum have been addressed within the planning submission. The applicant has in accordance with the Localism Act consulted widely with neighbours and other stakeholders to discuss the impacts and benefits of the scheme.

## 7.0 Conclusion

7.1.1 The redevelopment of 65 and 67 Maygrove Road will replace one redundant and vacant site and another soon to be redundant site with an attractive residential scheme providing high quality apartments with a provision of open market and affordable housing.

7.1.2 The proposal is provides a holistic approach to the site incorporating No.67 to deliver comprehensive development which sits within the context of Maygrove Road and the Peace Park, providing a building of a scale in keeping with the surrounding townscape.

7.1.3 The scheme accords with the NPPF in making effective use of redundant commercial space for more beneficial uses, i.e. housing.

7.1.4 In summary the development will:

- Deliver 91 residential units, the provision of which is at the heart of national strategic and local government objectives.
- Provide affordable homes subject to a viability assessment
- Provide 3 four bed family units with gardens
- Include a wide range and mix of residential accommodation comprising one, two, three and four bed apartments.
- Provides the opportunity to create high quality designed residential units which integrate and relate to the existing townscape, and embodies the principles of good urban design respecting both scale and character of the adjacent buildings.
- Seeks to maximise the use of a previously developed site, increasing the potential beneficial use of the site without caused detriment to the townscape or neighbouring properties.
- Meet high sustainability criteria including Code 4 CSH and achieving a 25% reduction in carbon generation
- Provide limited car parking with only 10 spaces for disabled persons and 2 car club spaces
- Provide 120 cycle spaces.
- Retain a large amount of landscaping on the site including trees and communal areas.

7.1.5 The development will enhance the biodiversity and ecological value of a site that is currently bereft of usable green space and soft landscaping. It will provide an exceptionally designed communal open space and a wildlife habitat at roof level with the incorporation of green roofs and wildflower planting. In turn, the greening of the site will reduce surface water run off.

- 7.1.6 All of the residential units are designed in accordance with the urban design guidance set out in the LDF, avoiding the creation of single aspect north facing flats. The submitted daylight and sunlight report demonstrates that there is no impact on any surrounding properties and that all of the proposed flats will enjoy good levels of natural daylight and sunlight.
- 7.1.7 The scheme will, subject to an assessment of the viability, contribute towards improvements to the Sidings Community Centre and the Maygrove Peace Park and make significant contributions to the Council's pooled funds for investment in education and other identified improvements. The application scheme is liable for Mayoral CIL and the acquisition of No.67 Maygrove Road and removal of the car parking has had a significant impact on its overall viability.
- 7.1.8 Overall the development proposal strongly reflects national policy objectives for effective and efficient use of land, achieving a mix of housing and for sustainable development. The application scheme meets strategic policy objectives set out in the new London Plan and the proposals within Camden's adopted policies, particularly in terms of providing additional housing and affordable family accommodation throughout London through the re-use of vacant previously developed land.

## Appendices

### Appendix 1 Site Location Plan





## Appendices

### Appendix 2 Development Forum Notes

## **Development Management Forum: 65 & 67 Maygrove Road, NW6**

Wednesday 3<sup>rd</sup> October 2012

6:15pm to 8:30pm

Sidings Community Centre

**Site:** 65 & 67 Maygrove Road, NW6

**Proposal:** Redevelopment to provide approximately 100 residential units within two buildings comprising basement, ground and four storeys with ancillary car parking, cycle storage and landscaping, following demolition of numbers 65 (Handrail House) and 67 Maygrove Road, NW6.

**Applicant:** Regal Homes

### **Present:**

Bethania Antunes

Clare Parfitt

S Regli

L Brown

L Evans

Fordwych Residents Association

J Colliver

J Rashid

P Swindells

West Hampstead Amenity and Transport

Eileen Stenson

John Eastwood

WHGARA

James Earl

Fordwych Residents Association

Matthew Pearson

Guy Shackle

G Thomas

T Shackle

Viv Nolan

Nicolas Nolan

Maria Schultz

Jorge Salgado

Barbara

Maygrove Peace Park

Fiona Campbell

A Magennis

Sue Measures

Sidings Community Centre

Barbara Wilson

Sidings Community Centre

### **Developer**

Paul Eden (PE): Regal Homes

Sean Tickle (ST) : Rolfe Judd Planning

Andrew Barnett (AB): Hopkins Architects

## **Councillors**

Cllr Keith Moffitt  
Cllr Russel Eagling  
Cllr Gillian Risso-Gill

## **Council officers**

Bethany Arbery (BA) Chair West Area Development Management Team  
Manager

Gavin Sexton (GS)	Principal planner West Area DM Team
Philip Niesing (Notes)	Planning officer East Area DM Team
Fergus Freeney	Planning officer Advice and consultation Team
Dawn Allott	Community liaison officer

## **Introduction**

Beth Arbery (BA) welcomed attendees and gave a brief explanation of the purpose of the Development Management Forum.

A Development Management Forum is a pre-application public meeting at which developers present their proposals for complex or major developments before a formal application is made. It gives the local community the opportunity to express their views and ask questions, and allows issues to be raised at an early stage.

BA explained that the Development Management Forum is not a decision making forum and that council officers were not here to give their views on the proposals. BA further advised that the forum does not replace the formal consultation process that would take place if an application was subsequently submitted.

BA asked members of the press and councillors to identify themselves. Three members present: Cllr Eagling, Cllr Risso-Gill and Cllr Moffitt. BA reminded those Councillors who sit on the Development Control Committee that expressing a view in favour or against the proposal would prejudice their right to take part in a future decision on the application.

BA introduced representatives present at the meeting, set out the agenda and format for the meeting.

## **Summary of the site**

Gavin Sexton (GS) gave an overview of the site explaining the planning policies and key considerations which would have to be taken into account if a planning application is submitted. The key planning policy considerations which arise from the site were highlighted as:

- Loss of employment floorspace
- Permanent housing as a priority use
- Affordable housing

- Design & impact on open space (Peace Park)
- Amenity
- Transport
- Sustainable design and construction/energy
- Basement development

## **Developer presentation**

Paul Eden PE gave an overview of the previous application. PE explained that they were interested in what they could give back to the local community, he suggested that they could make a contribution towards upgrading the community centre and Peace Park, particularly through the upgrading of the kiosk/café, the park and the football pitch. At present the park does not create revenue and the idea would be to upgrade the kiosk/café; the car park itself needs resurfacing and the existing football pitch needs an upgrade. An all weather surface for the football pitch has already been discussed. Safety in the parking is also an issue, and can be addressed through the installation of new lighting across the park.

Andrew Barnett (AB) from Hopkins Architects gave an overview of Hopkins as a firm and highlighted the award winning schemes they have recently delivered and in their involvement and personal interest in the surrounding area.

AB described the development site, which contains an existing 1930's office building called Handrail House, the 1980s building at 67 Maygrove Road and the run down carpark which covers the remainder of the site. The surroundings are principally residential terraced houses. The site is a landmark site with views from either end of Maygrove Road which is an important communication road. Numbers 65 and 67 are not considered of architectural merit and rather an odd combination with dual frontage onto Maygrove Road and Peace Park. There is no connection between the site geography and the buildings. How the proposed development responds to the street and park would be of importance. The inclusion of number 67 within the proposals provides an opportunity for more consistency of scale along Maygrove Road and to make more sense of the rear boundary.

The development proposal would take the form of a five storey residential terrace fronting Maygrove Road, which would be broken up at the rear with three projections. The building line would be set back from street by 4m which is a typical London setback with an evergreen hedge to the footpath along Maygrove Road. To the rear a communal garden would be incorporated in layers in parallel which would act as a green filter between the Peace Park and the development. Green/Brown roof would be installed at roof level to increase sustainability and biodiversity.

The concept of the design is that it should feel like a terrace, but should have bookends and middle. The building would establish a house scale with vertical elements which take their cue from the London Victorian terrace. The ground

floor should be different to the upper floors to create variety and the top floor would be set back from the front elevation.

Bricks such a yellow hand made brick would make building distinguished and the quality is of particular importance. Utilising facing brick would allow the building to be quiet in its setting. It is a relatively simple building with variety introduced through fenestration, openings and materials.

The ground floor fenestration would be set back, whilst having an identifiable ground floor. The change in levels mean that the building would feel like a 3 storey building when seen from the Park.

### **Questions and answers session**

**Q:** Why was Camden not happy with the 4 storey height of the building previously proposed?

**A:** GS provided clarity on the reasons for the previous application being withdrawn. One of the key issues for officers was the design, in particular the layout and potential community safety issues arising from access problems. There was no easy resolution because of No. 67. The other issues was agreement on the level of affordable housing as the proposals did not meet the target and there had not been an agreement between Camden and the developer about the justification for not meeting the target. This would need to be discussed as part of any future scheme. It also included significant car parking, around 40 spaces.

**Q:** The s106 money, where would it go?

**A:** See below.

**Q:** The loss of business use would be contrary to policy.

**A:** PE/ST stated that this would be the second time an application has been submitted. As part of the previous one they provided detailed marketing reports that showed that Handrail House had been vacant for over a year. The previous owner had spent money refurbishing it and still could not find tenants. We have considered Camden's Policies in the LDF and the NPPF which seek for reuse of sites where there is no demand. There is clear progressive vacancy in the building, it seems crazy to include business space in view of this.

The flats on the top floors of number 67 were occupied, but office tenant below has relocated to a modern office block with good access in Finchley Road. Revised marketing evidence and a planning statement would be submitted with the new application. Camden polices supports the provision of new houses.

**Q:** There are a number of red brick buildings in the area. The proposal is for light yellow bricks why? Question the proposed brick and the use of timber panels on the building

**A:** (AB) The height of the main part of the building remain the same as the previous scheme, however the top floor would be set back from the edge of the building. Now that the site includes number 67, other parts of the building can be lower, which means the development can be less bulky. Our minds have not been made up yet; however there are many types of bricks used in the area. The detailed design needs more work. I can however confirm that it would not be cheap wire cut bricks, rather it would be a good quality handmade brick, the colour still needs to be confirmed. The use of timber is for sustainability reasons and to address energy efficiency and improve insulation. It is also elegant and would contribute to the appearance of the building. Modern window frames (not uPVC) which would be openable for natural ventilation would be incorporated.

**Q:** Wants confirmation of basement excavation; and wants the development to be car free.

**Q:** (AB/ST) The proposal does include a basement, which would include the 10 disabled parking spaces, bicycle storage, plant equipment and the lower floors of duplex accommodation. It should however be noted that this site is on made ground because it used to be part of the railway lands and it is currently not natural ground level. The soil needs to be removed to create the foundations. Given the change of levels the scheme therefore makes efficient use of space. The front elevation at basement level would however remain active residential space.

**Q:** Where is the entrance to the car park?

**A:** West end of building

**Q:** How does the scheme address open space provision, particularly for children?

**A:** (AB) Open space would be provided to the family units in the form of private roof terraces, whilst a communal garden would be provided for ground and lower ground floor units.

GS stated that the Council would expect a mix of units and would expect provision of open space. Firstly, Camden would prefer provision on-site and if possible create public open space on site, although here there would be limited cope. All development must make a contribution to open space in the Borough, a financial contribution would be used to create new space or improve existing locally.

**Q:** The site lies next to old petrol filling station; has the soil been tested for contamination and how is the building eco friendly and sustainable.

**A:** (PE) We are aware of the tanks contained at number 59 and the soil test report shows that there is no contamination. The ground is old railway land and is made ground and needs to be removed. There is movement at number 65. The Basement Impact Assessment and Geological Report will be available to the public when submitted as part of the application.

(AB) The proposed development will achieve Code for Sustainable Homes standard 3 or higher. We are also looking at renewables and putting in combined heat/power. However it should be noted that a building which is designed with a sustainable approach in mind and which incorporates good use of insulation, orientation, daylight, and natural ventilation will provide better environmental performance than adding renewables on at the end. The proposal also includes brown/green roofs.

**Q:** What is the number of units proposed, the mix/size and the affordable housing proportion. Moreover what about the impact on the community uses such as schools, nurseries etc. in the locality?

**A:** (PE) The proposal would include a mix of units, i.e. 1-, 2-, 3- and 4-bed units. Camden policies require a higher proportion of 2-bed and 3-bed units. The percentage of affordable housing depends on the financial viability of the scheme. This has not yet been finalised, however as much affordable housing as possible would be provided.

We are passionate about what we bring to the community, whilst improving Peace Park, the community centre and the football pitch.

**Q:** Although the building is better than tower blocks, why are the developments all so samey.

**A:** (AB) Hopkins buildings do have their own style but they don't agree that they are samey. It would be a quiet building with good quality materials with its own character. Turning the building around would not allow the building to reflect the character of the area. The front elevation is broken up through fenestration.

**Q:** It is encouraging to see that they support S106 money going to this area. The building is a however a significant building in a rather tight space and concerns are raised about the impact of the development on park especially if used for access during the construction phase. The back of the site is also very close to the toddlers play area.



**A:** GS explained the measures that the Council might use to minimise the impact of development on area, through conditions or s106 legal agreements. S106 agreements mostly secure finances for educational contributions, open space, construction management plans. We would seek contributions to community facilities and open space. How that money gets allocated depends on needs and priorities. When a development starts we would identify local sites it could be used on. The decision is made considerably further down the line and involves discussions with other departments such as Parks and Open Spaces.

**Q:** The Council should co-ordinate different developments and the cumulative impact on existing infrastructure. It is also suggested that the building be turned around as the Maygrove Road frontage is uninteresting and needs breaking up.

**A:** GS stated that Camden has a housing trajectory which we expect to meet; we take account of housing coming forward and feed into projections for other departments. Look to mitigate education cost by making a financial contribution towards educational provision.

(PE) The developer is also the contractor and there would be a meeting scheduled following the grant of planning permission to set up a Construction Management Plan for the site. The playground and park would be open as always.

**Q:** Notwithstanding the market evidence, Camden allows for the erosion of employment floorspace. There is a need for small workshops in the area. There is not enough consideration about this.

**A:** (ST) The property has been marketed now for 5 years, as offices (B1a) or workshops (B1b) with limited interest. Class B2 uses are not suitable in residential area, and you may not want to see student housing in this location.

**Q:** Concerned that the development would trigger subsidence due to the proposed basement excavation.

**A:** (PE) The development is unlikely to cause subsidence as the foundations of the building would effectively strengthen ground levels.

**Q:** What is the situation on the mobile mast?

**A:** (PE) We have inherited the phone mast and I can confirm that there would be no phone mast on the proposed building. There is an agreement to remove the mast from the building into the car park for a temporary period; unfortunately a generator has now been attached to mast, which can not be removed without removing the mast itself. The mast and generator will be removed by May 2013, hopefully earlier by February 2013. I have with me a certificate to show that no harm to residents would occur from the mast.

**Q:** What is the timescale for the development?

**A:** Should the application be submitted within 4-5 weeks, it would potentially go to a planning committee in January 2013. Thereafter, applications for approval of matters reserved by conditions will need to be submitted, bring us to March 2013. The construction period for the development is approximately 16-18 months.

**Q:** Consideration should be given to where existing business go. Soon local businesses will have nowhere to go. The range of the facilities in the area is limited it's becoming a commuter town, people live here but work elsewhere (Cllr Risso Gill).

**A:** (PE) Handrail House is not in the right location for offices which generally seeks new premises on main streets. People do not want to be in these locations.

**Q:** The proposed building is considered to be one storey too high which makes it overly dominant. Likes the terraces and consider the fenestration to be important – why no glazing bars -, however the park at the back is public but also private space and the large windows in the rear elevation would cause overlooking and loss of privacy.

**A:** (AB)The proposed building would be no taller than 59. It would however be more open and transparent thus less bulky than number 59. Too small windows would look industrial, and not appropriate to this elevation. The fenestration needs to relate to the scale of the brickwork, and provide adequate daylight to the occupiers of the residential unit. The elevations do not show the finer detail such as the glazing bars.

**Q:** How many disabled parking spaces will be provided and where would the access to park be during the construction phase. Concerned about the noise and disturbance during construction phase.

**A:** (PE) A Construction Management Plan, which will include details of the coming and going of lorries, storage on site, dust control/alert, wheel washing facilities, etc. will be in place and adhered to. The site will also be supervised; scaffolding, netting etc will be in place as required by Building Regulation.

The site will be car free as it falls within a Controlled Parking Zone. This would be secured by s106 Legal Agreement. Provision will be made for 10 disabled spaces within the basement, but no justification can be made for any additional on-site parking.

**Q:** What will happen to the trees and would any of them be removed as part of the work?

**A:** (AB) The trees are Council owned and will not be affected by the proposal. The nearest trees are approx 10 metres away and they will be protected during the construction phase. Moreover, the basement does not go that far to the east.

**Q:** What would happen if residents with a car parking permit buys a house in the development and then move over, without releasing his/her car parking permit?

**A:** Camden is very strict, and they would not be able to transfer parking permits. Also an s106 will be in place, if this is happening which it shouldn't be that matter should be taken up with the Council's parking team.

**Q:** Note that businesses in the area have got off street parking; Questions the height and detailed design and appearance of the building. Wants a building within more in character and in keeping with the surrounding area. Don't want to see smaller windows in the rear façade and are not sure about the yellow brick. The green strip along Maygrove Road has been neglected and should be given more thought and should be considered for s106 money

**Q:** Want to see the park enlarged.

**A:** (ST) The developer works very closely with the community and are trying to give back to the park. Their intention is to construct a high quality building that brings benefit to area and to the park.

**Q:** What will happen with existing residents at number 67? Suggest a bigger park and more car parking spaces on site.

**A:** The flats are rented on short term let only. However 2 of the 3 flats are currently vacant and the remaining tenant is in the process of relocating.

The Council seeks to reduce the amount of parking and would not support more parking on the site.

**BA** Thanked all for attending and closed the meeting at 8:45

## Appendices

### Appendix 3 Accommodation Schedule

## Maygrove Road Housing

## Residential Area Table : Summary

## West Block

Floor		Flat Types								Units	Total Sq F	Total Sq M
		1b/2p	1b/2p DP	2b/3p	2b/4p	2b/4p DP	3b/5p	3b/6p	4b/7p/DP			
G+B	Type	1	8		3	3	3			18		
	NIA sq F	608	5144		2778	3669	3973				16173	
	NIA sq M	56.5	477.9		258.1	340.9	369.1					1502.5
1	Type	5		1	6			3		15		
	NIA sq F	3261		801	5466			3757			13285	
	NIA sq M	303.0		74.4	507.8			349.0				1234.2
2	Type	5		1	6			3		15		
	NIA sq F	3261		801	5466			3757			13285	
	NIA sq M	303.0		74.4	507.8			349.0				1234.2
3	Type	5		1	6			3		15		
	NIA sq F	3261		801	5466			3757			13285	
	NIA sq M	303.0		74.4	507.8			349.0				1234.2
P	Type	2		1	8			2		13		
	NIA sq F	1113		800	7061			2265			11239	
	NIA sq M	103.4		74.3	656			210.4				1044.1
		26			36			14	0	76	67266	6249
East Block												
G+1	Type	1							3	4		
	NIA sq F	695							4623		5318	
	NIA sq M	64.6							429.5			494.1
2	Type	1		1	2					4		
	NIA sq F	539		725	1579						2844	
	NIA sq M	50.1		67.4	146.7							264.2
3	Type	1		1	2					4		
	NIA sq F	539		725	1579						2844	
	NIA sq M	50.1		67.4	146.7							264.2
P	Type			1	2					3		
	NIA sq F			716	1512						2228	
	NIA sq M			66.5	140.5							207
		3			9			0	3	15	13234	1230
		21	8	7	35	3	3	11	3	91	80500	7479

Flat Split / % ages

32%

49%

19%

NIA Issued 26.10.12	Memo 023		7398
Difference			81
%age difference			1.1%

## Floor Areas Summary

## Average Flat Areas

Floor	Sq M				Sq F					Sq M	Sq F
	NIA	GIA	NtoG		NIA	GIA	NtoG				
B	436.9	460.7			4703	4959					
G	1599.4	1737.9	92%		17216	18707	92%				
1	1488.8	1768.2	84%		16129	19033	85%				
2	1498.4	1764.1	85%		16129	18989	85%				
3	1498.4	1764.1	85%		16129	18989	85%				
P	1251.1	1515.3	83%		13467	16311	83%				
Totals	7773.0	9010.3	86%		83771	96986	86%				

1 bed	58.7	632
1bed DP	59.7	643
2 bed	80.2	864
3 bed	116.2	1251
4 bed	143.2	1541

## Appendices

### Appendix 4 Dutch & Dutch Letter

Tuesday, 25 September 2012

Paul Eden  
Regal Homes  
4-5 Coleridge Gardens  
NW6 3QH

Dear Paul,

**Re: 67 Maygrove Road, London, NW6**

The existing premises comprise circa 5,000 sq ft of offices over ground, 1<sup>st</sup> and 2<sup>nd</sup> floors with three residential units at 3<sup>rd</sup> floor level. There are 5-6 car parking spaces on the forecourt.

The existing owner-occupier, Soundnet Limited, bought the building from a US data company when they vacated 65 and 67 Maygrove Road in circa 2005 due to it being surplus to requirements. Soundnet use the premises as offices for their music distribution business which employs circa 25 staff. However, the buildings location, arrangement over 3 floors and design make it unsuitable for their business going forward. The decision was therefore recently made to dispose of the building and move to more appropriate accommodation elsewhere in the borough.

The building was built in the 1960s and is considered to be below the high standards expected by prospective office tenants. In particular, it lacks sufficient parking and servicing areas for deliveries and pick-ups, no secure cycle parking facilities, it is not DDA compliant.

No.67 suffers from the same locational constraints as Handrail House, namely that it is located in a predominantly residential area which lacks the prestige of other office destinations both within the borough and in the immediately neighbouring boroughs. Despite its relative closeness to the stations at Kilburn and West Hampstead, the marketing of Handrail House has shown that tenants consider the immediate office location would severely hamper the ability to recruit and retain quality staff.

I am afraid that there is a strong likelihood that upon vacation of the offices by the current occupiers, the offices would remain un-let, with little interest from potential occupiers, for at least the next two years.

With kind regards,

  
David Matthews

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## Appendices

### Appendix 5 Student Housing Policy Note



## **65 Maygrove Road, West Hampstead NW6**

### **Briefing Note for Student Housing**

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#### **1.1 Introduction**

- 1.1.1 This note has been prepared to assist the Council in understanding the strong policy support for the provision of student housing in the borough and why the redevelopment of 65 Maygrove Road for a mixed student housing part affordable development meets London Plan, Core Strategy, DPD and CPG2 policy requirements. It also highlights that there is no preference on this site to provide residential over the provision of student housing as both are priorities for the borough.

#### **1.2 The Case for Student Accommodation in London**

- 1.2.1 The London Plan (2011) recognises the significant contribution that London's universities make to the Capital's economy and labour market. It notes that the attractiveness of the universities and potential growth of the economy are not compromised by inadequate provision for new student accommodation. It predicts that between 18,000 and 27,000 new student accommodation units are required over the next ten years.

- 1.2.2 The Plan states that addressing these demands should not compromise capacity to meet the need for conventional dwellings, especially affordable family homes, or undermine policy to secure mixed and balanced communities. This may raise particular challenges locally, and especially in parts of inner London where almost three quarters of the capacity for new student accommodation is concentrated.

- 1.2.3 In order to address the concerns expressed in the London Plan, boroughs are expected to identify land suitable for conventional housing and student housing. The application site, being a windfall site, has no designation as either a site suitable for conventional or student housing. This is clearly an instance where the application must be determined on its own merits.

- 1.2.4 Policy 3.8 notes that

*"Student accommodation should be secured as such by planning agreement or condition relating to the use of the land or to its occupation by members of specified educational institutions. If the accommodation is not robustly secured for students, it will normally be subject to the requirements of affordable housing policy (policies 3.10-3.13)."*

- 1.2.5 This wording was confirmed by the EIP Inspectors in their report dated March 2011. Paragraph 3.99 of the report notes that:

*"The principal point relating to implementation lies in ensuring that the accommodation is, and remains, for student accommodation. This is the subject matter of the penultimate sentence of DRLP paragraph 3.45, which requires that it be secured through a planning agreement tied to a*

*specified educational institution. However, the Mayor has suggested that the alternative of tying the accommodation to student use only would also be acceptable (FSC 3.44). Although some strongly urged retention of the DRLP wording, and some HEIs may commission schemes solely for their own use, the flexibility introduced by the Mayor's proposed change would enable specialist providers to use their stock efficiently, which is of particular importance given the scale of need. While we are concerned that there could be a need to define what is meant by 'students' on the alternative approach when considering particular proposals, we find the flexibility inherent in the Mayor's revised formulation to be acceptable in the context of a strategic plan."*

- 1.2.6 It is therefore evident that the use of a site for student housing can be secured either by a link to a number of specific institutions or through a legal agreement or condition relating to the use of the land and that the Mayor's approach as set out in Policy 3.8 of the London Plan was strongly supported by the EIP Inspectors. They consider the flexibility of the wording would support the delivery of new student housing by specialist providers.
  
- 1.2.7 Research carried out by Knight Frank in 2011 suggests that there is a structural undersupply of 'value' student accommodation in London. What this means in practice is that the provision of purpose built student units will be cheaper for students than trying to rent on the open market. The research also suggests that a further 100,000 student units are urgently needed in this price bracket in areas that benefit from good public transport infrastructure.
  
- 1.2.8 This is a view broadly supported by research carried out by Savills in 2011 which predicts that there will be an additional cumulative shortfall in student bedspaces (above the current shortage) of 33,350 by 2016. This is calculated on the basis that there are approximately 285,000 full time students studying in the capital with an additional 17,000 students enrolling in 2009/2010 and a further 13,500 in the previous academic year.
  
- 1.2.9 The proposed student accommodation at 65 Maygrove Road is located in an area where public transport links are generally good.

### **1.3 Benefits of Student Accommodation**

- 1.3.1 **Increasing the Provision of Low Cost Housing in the area:** Due to the severe shortage of student accommodation across London, it is envisaged that a large number of students studying in the Borough either live outside the Borough or rent private accommodation within the Borough thus reducing the available housing stock of cheaper rented accommodation. A key provision of the Core Strategy and DM DPD for the London Borough of Camden is to increase the level of affordable and low cost housing for residents. It is considered that, by relocating students from private residences in the Borough to purpose built student accommodation, it will release low cost, private housing stock for rent or sale to residents.
  
- 1.3.2 **Wider Economic Benefits of Students living in the area:** There are a range of economic benefits attached to students living in the Borough. In general, if students live outside the area they study in, it is likely that they will leave the area once their classes are finished for the day.

However, if a student both lives and studies in the same area, they are far more likely to spend their money on local services such as shops, restaurants, bars etc. This increase in spend can be of a considerable economic benefit to an area. The location of the application site within walking distance of the Kilburn and West Hampstead with its diverse mix of shops, bars and restaurants, is an ideal location for students who will spend money locally and add vitality to the local shopping parades.

- 1.3.3** In addition to contributing economically to current businesses in the area, students can also encourage the creation of new businesses in the area relating to the needs of a student including cafés, shops and businesses. Furthermore, students provide a supply of flexible labour to businesses that may be open out of normal office hours. There is also a greater possibility of students remaining in the area that they lived once they have completed their studies, improving the local graduate workforce.

#### **Community Benefits**

- 1.3.4 Reducing Studentification:** Although there are clear benefits arising from student populations, problems can also occur. One of these problems is 'studentification which occurs when permanent long-term residents are displaced by transient, young students. It is caused by large numbers of students occupying property that would have previously been occupied by permanent households. Studentification is a product of where students have taken over large numbers of houses in traditional residential neighbourhoods. By creating custom-built student accommodation, students that traditionally would have occupied private residences will be relocated from those residences, thereby reducing the studentification of the area and allowing private households to move back into the area.
- 1.3.5 Impact on cosmopolitan nature/culture of area:** Camden contains a number of internationally recognised higher education institutions including LSE, UCL and University of the Arts. The application site is therefore an ideal location for student accommodation.

#### **1.4 Camden's Policy on Student Housing**

- 1.4.1** The Council supports the provision of student housing in the borough however it places a number of provisos on this support which significantly restrict opportunities for student housing provision within the borough.
- 1.4.2** Policy CS6 of the Core Strategy states the Council will support the supply of additional student housing providing this does not prejudice the Council's ability to meet the target for the supply of additional self-contained homes, the balance of uses in the area; and the quality of residential amenity or the character of the surrounding area.
- 1.4.3** Policy DP9 of the DPD states that the Council will support student housing providing that it:
- will not involve the loss of permanent self-contained homes;

**65 Maygrove Road, NW6 continued/...**

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- will not prejudice the supply of land for self-contained homes, or the Council's ability to meet the annual target of 437 additional self-contained homes per year;
- does not involve the loss of sites or parts-of-sites considered particularly suitable for affordable housing or housing for older people or for vulnerable people, particularly sites identified for such provision in our Camden Site Allocations Local Development Framework document;
- will be accessible to public transport, workplaces, shops, services, and community facilities;
- contributes to creating a mixed and inclusive community
- does not create an over-concentration of such a use in the local area or cause harm to residential amenity or the surrounding area.

1.4.4 Policy DP9 further notes that student housing development should:

- serve higher education institutions based in Camden or adjoining boroughs;
- be located where it is accessible to the institutions it will serve
- include a range of flat layouts including flats with shared facilities.

1.4.4 CPG 2 – Supplementary Guidance on Housing was adopted in 2011 and expands on what is meant by over concentration of student housing and what is accessible to the institutions.

1.4.5 The Council identifies within the CPG areas with higher concentrations of students and states that any development with over 100 bedspaces is likely to have a detrimental impact on the mix and balance of the local community. Where there is a lower concentration of students a development of over 250 bedspaces is considered to have a detrimental harm on the mix and balance of the community. However the CPG also notes that locations for students should also take into account adequate provision for public transport.

1.4.6 CPG2 contains a map showing the location of student concentrations. Maygrove Road is not within an area with a high concentration of students and therefore a scheme of up to 250 beds would not cause a detrimental harm on the mix and balance of the community.

1.4.7 The advice within the CPG on student concentrations is noted as broad guidance and it may be important therefore to assess actual student concentrations within the area and review the overall residential population to assess the mix of units, tenures and social groups within the area. This data could then be cross referenced against the LDF evidence and Strategic Housing Land supply. This would be undertaken by reviewing census and other population data for the area as well as carrying out a land use survey.

**65 Maygrove Road, NW6 continued/...**

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- 1.4.8 The existing site is not an identified housing site within the site allocations document and the scheme will include separate provision for affordable housing on the 'car park' to the east of the site. It is not in an area with a high concentration of students and would not represent the loss of an identified housing site, nor would it harm the delivery of affordable housing. It is therefore acceptable in respect of Policy DP9 and CPG2.
- 1.4.9 The scheme would be supported by a Student Management Report demonstrating how the development would be managed to ensure no noise and disturbance occurred to neighbouring residential properties.
- 1.4.10 Further support for the student housing would be obtained by securing the support of a higher education institution preferably based within Camden or close to the Camden border.

**1.5 Recent Precedent**

- 1.5.1 The case for students housing in the borough was supported by the recent decision for an Appeal at Bentley House, 200 Euston Road, London NW1 2DA 1 (Ref: APP/X5210/A/11/2156053) which we append. This scheme involved the change from office to student housing. The Inspector concluded that:

*"Para 65 ...The proposed additional student housing, on a windfall site, satisfies the tests in Policies 3.8, CS6 and DP9 and would not prejudice the ability to meet the target for the supply of additional self-contained homes."*

- 1.5.2 Furthermore as noted earlier there is a very significant demand for student housing across London; this was also identified within the Appeal Decision in Para 38 which stated that the Council had accepted there was a pressing need for student accommodation.

**1.6 Student Housing Considerations**

- 1.6.1 The Council will not seek affordable housing with a student housing scheme if it would not prejudice the delivery of housing and in particular affordable housing on a site, it is linked to a local institution (Camden or adjoining borough) and the accommodation is of a type that meets the needs of local institutions (i.e. includes cluster units). Recent appeal decisions at Blackburn Road and Belmont Street confirm that the Council is unlikely to be successful in arguing for provision of affordable on student housing scheme.
- 1.6.2 However the scheme at Maygrove Road includes a separate affordable block to the east of the main site.
- 1.6.3 The Council does include reference in the CPG to resisting schemes where there is no named institution; however the Inspector at Blackburn Road stated that such a restriction was inflexible and unnecessary. As noted above the London Plan requires as a minimum confirmation that the student is studying in full time education in London.

**65 Maygrove Road, NW6 continued/...**

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- 1.6.4 The layout of the development would allow for future conversion to permanent residential use should student housing be discontinued in the future.
- 1.6.5 The Council will seek provision of S106 contributions towards improvements in the area; however these will be assessed on a site by site basis dependant on the provision of local services and facilities on an area. The Blackburn Road scheme had obligations towards public realm contributions, health contributions, social and community facilities contributions, provision of a student management plan, car free development employment during construction.

**1.7 Summary**

- 1.7.1 Based on the evidence highlighted above it is clear that
- There is a strong demand for student housing in London and in Camden
  - The scheme would assist the Council in meeting housing targets
  - The scheme would provide good accessible accommodation for students
  - The scheme would free up existing housing stock and provide affordable accommodation
  - A recent precedent at Bentley House Euston Road which strongly supported the provision of student housing on windfall sites in the borough.
  - There are significant economic benefits to the area through the provision of student use
  - Would be controlled and restricted to students studying in Camden or neighbouring boroughs
  - The scheme accords with Policy 3.8 of the London Plan, Policy CS6 of the Core Strategy, DP9 of the DPD and CPG2 guidance.