

<b>25Address:</b>	<b>17 - 19 Ferdinand Street London NW1 8EU</b>		
<b>Application Number:</b>	2012/2578/P	<b>Officer: Amanda Peck</b>	
<b>Ward:</b>	Haverstock		
<b>Date Received:</b>	<b>14/05/2012</b>		
<b>Proposal: Redevelopment of site to provide 418 sqm of office space (Class B1) at ground floor level and 16 self contained residential flats at first, second and third floor levels (11x 2-bedroom + 2x 1-bedroom market housing units and 1x 1-bedroom + 2 x 2b affordable housing units) (Class C3) with associated waste storage, cycle storage, plant room and landscaping, following demolition of existing two storey warehouse (Class B8).</b>			
<b>Drawing Numbers: Site Location Plan 1002.01A3; 02 A1; 03 A2; 04 A1; 05A-; 06A1; 07 A2; 08 A-; 09 A-; 10 A-; 11 A6; 12 A5; 13 A5, 14 A5; 15 A5; 16 A2; 17A4; 18 A3; 19 A2; 20 A2; 21 A-; 22 A2; 23 A3; 24 A3; 25 A2; 26 A3; 27 A1; Planning Statement prepared by DLP Planning May 2012; Energy Statement prepared by Create Consulting Engineers Ltd PS/CS/P11-282/01 rev A; Sustainability Statement prepared by Create Consulting Engineers Ltd PS/CS/P11-282/02 rev A; Daylight/Sunlight Report prepared by Create Consulting Engineers Ltd PS/CS/P11-282/02 rev A; Transport Statement prepared by Paul Mew Associates June 2012; Construction Management Plan prepared by Paul Mew Associates June 2012; Lifetime Homes Statement ref 1002/2 3 July 2012; Design and Access Statement ref 1002/2 3 July 2012; email from GLA Architecture &amp; Design Ltd, 6 July 2012 entitled “affordable housing – 17-19 Ferdinand Street, London NW1 8EU – our ref 1002-2”.</b>			
<b>RECOMMENDATION SUMMARY: Grant subject to a S106 Agreement</b>			
<b>Applicant:</b>		<b>Agent:</b>	
Mr Sodoris Aspris S Sarris and Son Ltd 47 Turnpike Lane London N8 0EP		GLA Architecture & Design Ltd Suite T 25 Horsell Road London N5 1XL	

## ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	B8 Warehousing		670m <sup>2</sup> (ground floor only as 1 <sup>st</sup> floor vacant for 16 years)
Proposed	B1 Business C3 Dwelling House		418m <sup>2</sup> (GIA) 1410m <sup>2</sup> (GEA)

[illegible]

Proposed	<i>Flat/Maisonette</i>	3	13	0	0	0	0	0	0	0
----------	------------------------	---	----	---	---	---	---	---	---	---

## OFFICERS' REPORT

**Reason for Referral to Committee:** The proposal constitutes a Major Development as it involves the creation of more than 10 residential units [Clause 3(i)].

### 1. SITE

- 1.1 The site is located on the west side of Ferdinand Street within a courtyard which is accessed from Ferdinand Street via an alleyway. The existing two storey building is currently in use at the ground floor as a warehouse (class B8) and the first floor is derelict having been unused for approximately 16 years. The courtyard in front of the site is in the ownership of an adjacent landowner, but the applicant and several businesses in buildings that abut this courtyard have rights of way and use it for access, servicing and deliveries. The courtyard is accessed via a relatively narrow access road from Ferdinand Street and an undercroft beneath 27 Ferdinand St.
- 1.2 The surrounding neighbourhood comprises a mixture of building heights and uses. It is broadly residential in nature to the north, west and east, including some family-sized housing and several blocks of local authority flats. The general character changes to more commercial uses (often with residential above) to the south, including some business uses around the courtyard, with shops and town centre uses fronting Chalk Farm Rd. Generally the built form rises from lower and small scale development of two to three storeys on Chalk Farm Road towards taller and bulkier buildings to the north in the form of twentieth century housing blocks located in spacious grounds.
- 1.3 To the south of the site lies the Regent's Canal Conservation Area. Harmood Street Conservation Area lies to the east with West Kentish Town Conservation Area to the north. The closest listed buildings are Kent House (Grade II) to the east and the Roundhouse (Grade II\*) on the south side of Chalk Farm Road.

### 2. THE PROPOSAL

#### Original

- 2.1 The proposal is for the redevelopment of the site to provide 418 sqm of office space at ground floor level and 16 self contained residential flats at first, second and third floor levels (11x 2-bedroom + 2x 1-bedroom market housing units and 1x 1-bedroom + 2 x 2b affordable housing units). The application is for the entire building at 19 Ferdinand Street and part of the ground floor at 17 Ferdinand Street, as the upper floors of this building are in a different ownership (see relevant history for a recent application to the upper floors).

#### Revision[s]

- 2.2 The rear elevation has been set back by approximately 2m away from 66a Chalk

Farm Road from the original scheme, the window locations in this part of the building have also changed and the windows here are to be obscure glazed. The design has been amended to lower the height of the proposed parapet, include black balcony railings and further information has been submitted regarding the proposed façade details. The discrepancies raised by adjoining occupiers have been resolved. The Daylight/Sunlight Assessment, Transport Statement, Construction Management Plan, Lifetime Homes Statement and Design and Access Statement have also been updated.

### 3. RELEVANT HISTORY

#### 17-19 Ferdinand Street (ground floor of 17 Ferdinand Street)

- 2011/6077/P - Redevelopment of site to provide 449 sqm of office space at ground floor level and 17 self contained residential flats at first, second and third floor levels (consisting of 14x 2-bedroom flats and 2x 1-bedroom market housing units and 1x2 bedroom intermediate affordable housing unit) with associated waste storage, cycle storage, plant room and landscaping, following demolition of existing two storey warehouse. Withdrawn by applicant 29 February 2012 due to concerns regarding design, lack of context on plans and questions re daylight/sunlight.

#### 19 Ferdinand Street

- 22361 - Change of use of part of the first and second floors from industry to a dance school. Granted 18 May 1976

#### 17 and 25/27 Ferdinand Street (adj site and upper floors of 17 Ferdinand Street)

- 2011/6308/P - Erection of an additional 4<sup>th</sup> and 5<sup>th</sup> floor, erection of a 5 storey extension to courtyard (west) elevation, erection of a 2 storey extension to east elevation all at 17 and 27 Ferdinand Street and redevelopment of 25 Ferdinand Street to create a 5 storey building to provide 9 residential units (Class C3) (2 x 1-bed, 4 x 2-bed, 2 x 3-bed, 1 x 4-bed) and provide office space (Class B1), including creation of roof terrace at 2<sup>nd</sup> floor level to east elevation and external terraced area at 5<sup>th</sup> floor level, creation of green roof, and associated alterations. Refused 5 April 2012 regarding design, lack of information in daylight/sunlight assessment, loss of sunlight to adjacent ball court, inadequate transport information and S106 issues.

#### 10a Belmont Street

- 2011/4415 - Erection of additional 6th floor and extension to 5th floor to provide 8 residential units (Class C3) (3 x 1-bed, 4 x 2-bed, 1 x 3-bed), and erection of a five storey rear extension to provide additional office space (Class B1), including creation of roof terrace at rear 5th floor level and external terraced area at 6th floor level, creation of green roof, and associated alterations. Granted 30 November 2011
- 2009/4257 - Erection of seven storey mixed use building comprising two basement levels for business use (Class B1) and 163 self contained student units (Sui Generis) with associated facilities for student accommodation at ground-7th floor levels, following demolition of existing 5 storey building in Class B1 business use and demolition of a residential dwelling. Refused 24 December 2009 and dismissed at appeal 3 February 2011.

### 4. CONSULTATIONS

#### **Statutory Consultees**

- 4.1 Thames Water – recommends informatives regarding construction close to Thames Water pipes, water pressure and the use of impact piling

### **Adjoining Occupiers**

<i>Number of letters sent</i>	47
<i>Total number of responses received</i>	4
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	4

- 4.2 Objections have been received from 17-27 Ferdinand Street, 10a Belmont Street and 66A Chalk Farm Road and 21 Ferdinand Street as follows:

#### Design

- The offices look domestic and greater articulation of the ground floor is needed to express them from the residential above.
- Brick is preferred on the ground floor rather than the white render.
- Window openings are too small and are more appropriate to a Georgian town house; they should be similar proportions to the neighbouring piano factory.
- The design should echo the industrial heritage.
- Flat roof is welcomed.

#### Quality of accommodation

- Not enough storage in residential units.
- Not an acceptable amount of garden or outside terrace spaces.

#### Sustainability

- No energy savings, sustainable and green credentials e.g. the terraces facing the courtyard will be permanently in the shade.

#### Amenity

- The 'penthouses' will overlook the proposed bedrooms which have recently gained planning permission at 21 Ferdinand Street and should have obscure glazing. One of the second floor units will overlook the existing residential unit at 66a Chalk Farm Road.
- The building will block existing office windows at 2<sup>nd</sup> floor level at 10a Belmont Street and 17 Ferdinand Street
- Daylight to existing residential units at 66A Chalk Farm Road will be detrimentally affected by proximity of extended building.
- The proposed parapet will enclose and restrict light to existing 2<sup>nd</sup> floor office windows at 17 Ferdinand Street

#### Transport

- The proposed refuse area is proposed close to the only point of access to the courtyard which is unacceptable as it would block access way for emergency vehicles and be inconvenient for residents.
- No office cycle stands proposed.

#### Lease/rights of way matters

- Development is contrary to the lease provisions of not being allowed to alter foundations/footings or timbers and not to cause damage or inconvenience to tenants or occupants (the use of the refuse/cycle room will cause nuisance , annoyance and inconvenience)

- Land in SE corner of site is not in applicant's ownership and no openings can be inserted into any walls onto this land under the rights of light act.
- The proposed glass canopy will not be allowed to be built as the applicant does not have any rights to erect this over the courtyard.
- The applicant has rights of way over the courtyard and the application will result in an intensification of this right which is considered unacceptable.
- The proposal presumes the removal of an existing single storey structure at 10a Belmont Street and insertion of doors and windows here. The applicant does not have legal right of way to propose window and door openings onto land owned by others and these openings do not comply with fire regulations.

#### Discrepancies

- 3d images rear view differ from section EE and second floor plan, and fails to show 2<sup>nd</sup> floor windows at 10a Belmont Street
- 3d images incorrectly show 17 Ferdinand street at 4 storeys instead of 3 storeys and 66a Chalk Farm Road as 1 storey instead of 3 storeys
- Parapet heights different on front and rear 3d images
- 3d images show existing single storey building adjacent to 10a Belmont Street as being retained and it is shown as being removed on other drawings. If this building is retained it cuts a proposed residential window in half
- No levels are shown on any of the drawings
- Office floor areas shown on floor plans differ from those in Design and Access Statement and Transport statement
- Elevation drawings show proposed brick wall over part of 17 Ferdinand Street
- Discrepancies in the size of 3<sup>rd</sup> floor structure and also between the location of door and window openings between the plans and elevations
- Projecting stairwell bays are not shown with a shadow line at 3<sup>rd</sup> floor level on the elevations.
- No ventilation duct is shown from the proposed plant room and the adj landowner will to allow any such thing to be attached to their building.
- Different numbers of cycle spaces shown on plans and in design and access statement
- Redline plan includes the ground floor access corridor at 17 Ferdinand Street which is not in the applicant's ownership

OFFICER NOTE: A per paragraph 2.2 these discrepancies have been resolved in the amended plans

## **5. POLICIES**

### **5.1 LDF Core Strategy and Development Policies**

CS1 – Distribution of growth

CS3 – Other highly accessible areas

CS5 – Managing the impact of growth and development

CS6 – Providing quality homes

CS8 – Promoting a successful and inclusive Camden economy

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

CS19 – Delivering and monitoring the Core Strategy

DP1 – Mixed use development

DP2 - Making full use of Camden's capacity for housing

DP3 – Contributions to the supply of affordable housing

DP4 – Minimising the loss of affordable housing

DP5 – Homes of different sizes

DP6 – Lifetime homes and wheelchair homes

DP13 – Employment premises and sites

DP16 – The transport implications of development

DP17 – Walking, cycling and public transport

DP18 – Parking standards and 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

DP23 – Water

DP24 – Securing high quality design

DP25 – Conserving Camden's heritage

DP26 – Managing the impact of development on occupiers and neighbours

DP29 – Improving access

## 5.2 **Supplementary Planning Policies**

Camden Planning Guidance 2011

National Planning Policy Framework 2012

## 6. **ASSESSMENT**

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

- Land use
- Quality of residential accommodation
- Design
- Amenity impacts
- Transport implications
- Other matters – sustainability, CIL

### Land use

#### **Employment floorspace**

6.2 Policy CS8 seeks to ensure that the borough retains a strong economy. It seeks to do this by, amongst other things, safeguarding existing employment sites that meet the needs of modern industry and employers. Policy DP13 seeks to implement the priorities outlined in CS8 and states that the Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business use unless it can be demonstrated that the site is no longer suitable for its existing business use and there is evidence that the possibility of re-using or redeveloping the site for alternative business use is not viable.

6.3 CPG5 (Town Centres, Retail and Employment) identifies three categories of light

industrial, industrial and storage & distribution sites/premises:

- Category 1 - high quality, purpose built accommodation with high loading bays and doors, access for delivery and servicing vehicles, unrestricted loading access and minimal risk that the 24 hour operation will harm the amenity of neighbouring properties.
- Category 2 - good access for servicing and delivery; slightly more restricted hours of operation than category 1; roller shutter doors, high floor to ceiling heights (3-5m), natural light, level access, flexible neighbouring uses; limited number of upper floors with goods lift access and some off street parking.
- Category 3 - small isolated premises with poor access, no goods lifts, little or no space for servicing, incompatible neighbouring uses and lower ground or basement levels.

CPG5 states that category 1 sites will always be protected, category 2 sites will usually be protected unless there is strong marketing evidence and category 3 sites may not be suitable for continued industrial use when they become empty or need significant investment, although they could be suitable for B1 office space.

- 6.4 The proposal is to replace the existing 670sqm of ground floor wine warehouse (Class B8) floorspace with 418sqm (6 units) of ground floor B1 floorspace (some of which can be combined to form larger units if required). The existing building is considered to be on the cusp of a category 2 and category 3, because it does benefit from an off street servicing area, has roller shutter ground floor level access and is located with adjacent office/light industrial uses but is also constrained by the restricted undercroft access to the servicing area and lack of goods lift access to the upper floors. There is an existing first floor level which has not been occupied for approx 16 years and is now almost derelict and cannot readily be used without significant investment. There would be a slight decrease in the quantity of usable commercial floorspace on site (of approximately 252sqm GIA). The quality of this floorspace is considered to be comparable to the existing because:
- The proposal is for high floor to ceiling heights of between 2.7m and 3m;
  - The units can be used individually or combined to form larger units as the proposal includes demountable partitions between the units.
  - All units have amenities such as level/ramped access, kitchen and toilet facilities.
- 6.5 The proposed loss of B8 floorspace and its replacement with B1 floorspace is considered to be acceptable and appropriate given the site context.

### **Residential floorspace**

- 6.6 Policy CS6 relates to a wide range of housing, including permanent self-contained housing. The general approach outlined in CS6 aims to make full use of Camden's capacity for housing. Policy DP5 seeks to provide a range of unit sizes to meet demand across the borough. In order to define what kind of mix should be provided within residential schemes, Policy DP5 includes a Dwelling Size Priority Table and the expectation is that any housing scheme will meet the priorities outlined in the table with 1 bedroom and studio units given 'lower' priority, 2 bedroom units given a 'very high' priority and 3 and 4+ bedroom units given 'medium' priority. The expectation is also that schemes will provide at least 40% 2 bed units. Policy DP5 acknowledges that it will not be appropriate for every development to meet the aims set out in the priorities table. The scheme meets the

aim of providing at least 40% 2 bed units, but does not provide any larger units (3-4 bed). The scheme has been designed with 3 separate cores to maximise the number of dual aspect units and this makes it more difficult to provide larger units, in addition the location of the site in a mixed use courtyard with a shared vehicular and pedestrian access road makes it more unsuitable for larger family units. The inclusion of 81% of two bed units (13 units) in the scheme is therefore considered acceptable.

- 6.7 The Council encourages the creation of additional residential accommodation provided that it meets acceptable standards. All flats would be accessed via three new entrances at ground floor, with a new staircase in each core leading to the upper floors and a lift in the central core. Each flat would be entirely self contained, would have adequate light and ventilation and would meet the CPG floorspace standards. All of the flats would have dual aspect and would have amenity space in the form of small balconies to the front elevation (approx 3m<sup>2</sup> and 12m<sup>2</sup> on the third floor). The applicant has set out in their interior daylight analysis (ADF test) that the proposed units would provide a good standard of daylighting for the habitable rooms. The proposed residential units are therefore considered to provide accommodation of an acceptable standard.
- 6.8 Policy DP6 requires all new dwellings be designed to meet Lifetime Homes standards. A lifetime homes assessment has been submitted with the applications and which shows that it is possible to meet all the 16 criteria. Policy DP6 (Lifetime Homes) states that 10% of homes development should either meet wheelchair housing standards or be easily adapted to them and one of the units is proposed to meet this requirement.
- 6.9 Policy CS6 expects all developments with a capacity to provide 10 units or more (or 1,000 sqm GEA or more) to make a contribution to affordable housing. DP3 introduces a sliding scale for developments between 10 units and 50 units. With the provision of 16 units and approximately 1,410 sqm GIA of residential floorspace the requirements of these policies has been triggered and 16% affordable housing should be provided on site (208 sqm). The proposal is to provide 1x 1-bedroom + 2 x 2b social rented affordable housing units with 232 sqm floorspace) at first and second floor levels (accessed via the lift core) and Mace Housing Cooperative have indicated that they are willing to manage these units. This will be secured with a S106 legal agreement.
- 6.10 CPG guidance requires the provision of 9 sq m of open space per person for residential developments providing 5 or more additional dwellings. Open Space provision will initially be expected to be provided on site. Where a site cannot provide open space provision on site the preferred option would be to provide suitable open space off-site, but at a maximum of 400m from the development. If either of the above are not practical a financial contribution to open space will be acceptable. The contribution expected for this development would be £19,403 and this will be secured with a S106 legal agreement.
- 6.11 All residential developments involving a net increase of 5 or more units will normally be expected to provide a contribution towards education provision in the Borough (excluding any affordable elements of a housing scheme). The contribution sought

is proportionate to the size of dwellings proposed, and is not sought for single-bed units, as these are unlikely to house children. The contribution expected for this development would be £28,769 (£2,213 for each of the 13 x 2b units) and this will be secured with a S106 legal agreement.

- 6.12 The access to the site is via an existing access road from Ferdinand Street to the courtyard area with unrestricted access, which does not appear to be lit. The Crime Prevention Officer has advised that a solution to the existing anti social behaviour which occurs on this access road would be to install access gates at the start of the alleyway. The application includes a proposal for gates here and a condition is recommended requiring the installation of these gates and any other necessary security measures (such as lighting) prior to the occupation of the residential units. It should be noted that the applicant does not own this land and therefore does not have complete control over this aspect of the scheme, however the land owner has indicated in other planning applications (10a Belmont Street ref 2011/4415) that an in-principle agreement has been made with the owners of 10a Belmont Street, the yard area, No.21 Ferdinand Street and No.17-19 Ferdinand St to contribute to the cost of supply, installation and maintenance of gates and the owners of the yard are in the process of obtaining quotes these. Should it not be possible to reach an agreement on these gates the applicant would have to apply to the Council to either vary or remove this condition and an assessment would be made on the alternative security proposals at that time.

#### Design

- 6.13 Policy CS14 of the LDF states that the Council will ensure that Camden's places and buildings are attractive, safe and easy to use by: requiring development of the highest standard of design that respects local context and character and by preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens. Policy DP24 states that the Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider the character, setting, context and the form and scale of neighbouring buildings; the character and proportions of the existing building; and the quality of materials to be used. Policy DP25 seeks to protect other heritage assets including Parks and Gardens of Special Historic Interest and London Squares
- 6.14 The application building forms part of the complex around the courtyard to the rear of 10A Belmont Street. This complex is made up of the former piano factory at 10A and a number of smaller scale buildings to the rear which face into the courtyard. The quality of the buildings around this courtyard is mixed although the predominant character is industrial. The former piano factory at 10a Belmont Street is the key building in the group and defines the context for the rest. The piano factory dates from the mid nineteenth century and is thought to have been owned by the Chappel & Co, makers of the famous Chappell piano. 10a Belmont Street and 17-25/27 Ferdinand Street are considered to be non-designated heritage assets, but the application site is not (it is noted that part of the ground floor of no 17 is included in the application and this part is within the building considered to be a non-designated heritage asset).

- 6.15 In the context of the recent approval at 10 Belmont St for the erection of an additional 6<sup>th</sup> floor and extension to the 5<sup>th</sup> floor and a five storey extension to the rear (see relevant history) and the recently refused scheme at 17-25/27 Ferdinand St for a part 5 and part six storey building, the current scheme is considered acceptable. Both sets of proposals for the adjoining buildings use the architectural language of the existing buildings at 10 Belmont St and 17-25/27 Ferdinand St in terms of materials and size, detailing and regularity of window openings and express a simplicity and order.
- 6.16 The front elevation of the building faces onto the enclosed courtyard used for servicing and some car parking. The courtyard is enclosed on all sides by buildings, therefore the building is somewhat obscured from public view (except for a glimpse of the building from Chalk Farm Road). The proposed building has a contemporary character which reflects the industrial character of its neighbouring buildings in its materials and detailing, with the use of yellow London stock brick, window details and black painted metal railings. The overall height of the proposed building broadly fits within the envelope of the existing building, with the third floor being of a lightweight glazed design which would be set back and would be very much subservient to the main bulk of the building. The composition of the front façade facing the courtyard provides a clear distinction between base, middle and top of the building. The proposed building has been sensitively designed to respond to the immediate context formed by adjacent buildings (as existing and as proposed) and is considered appropriate.

#### Amenity

- 6.17 The closest residential units to the site are to the south at 66a Chalk Farm Road (building located to the rear of Chalk Farm Road 2m away), to the south on Chalk Farm Road (12m away), to the north within the courtyard at 23 Ferdinand Street (residential unit on the opposite side of the courtyard 18m away) and 21 Ferdinand Street (live/work unit on the opposite side of the courtyard 19m away). There are habitable room windows at 66a Chalk Farm Road to the elevation facing the rear of the application site, to the front elevations of 21 and 23 Ferdinand Street facing the application site and to the recently approved residential units on the upper floors of 10a Belmont Street which do not directly face the application site.

#### **Daylight/sunlight**

- 6.18 A study has been submitted analysing the impact of the development upon sunlight and daylight enjoyed before and after the proposed development in accordance with the BRE guidelines. This study has been amended as the application has progressed and the building has been set back and additional information has been included regarding the sunlight impact and the impact on 66a Chalk Farm Road. There have been objections from the freeholders of 66a Chalk Farm Road and 17 Ferdinand Street with regard to impact on sunlight/daylight. The report concludes the following:
- The proposed building does not cut into the 25 degree line from 67-70, 65/66 Chalk Farm Road, 21/23/25 Ferdinand Street or 10a Belmont Street
  - The proposed building does cut into the 25 degree line from one window at 17 Ferdinand Street and from two windows at 66a Chalk Farm Road and further tests have therefore been carried out to these windows.

- The proposed window at 17 Ferdinand Street serves an office staircase window and therefore does not need to be tested, however the assessment shows that it meets the ADF thresholds for bedrooms, living rooms and kitchens.
- At 66a Chalk Farm Road the scheme has been amended so that the building is now only approximately 1m closer to this property (it was previously proposed to be 3m closer). The amended daylight/sunlight assessment shows that there will be a marginal impact on these windows as the ADF does not fall below 0.8 times its former value

6.19 A planning application was recently refused at 17-25/27 Ferdinand Street (refer to history section) and new residential windows were proposed in the western elevation facing the courtyard. These windows would be at right angles to the application site and are not identified in the daylight/sunlight report as being affected by the proposed development.

### **Overlooking**

6.20 The building at 66a Chalk Farm Road is approximately 2m away from the boundary of the site and is currently 6m away from the existing building. The proposal is for the new building to be 1m closer to these properties. Given the close proximity of these buildings it is proposed that four of the windows in the proposed units are to have obscure glazed windows. This will be secured with a condition.

6.21 The properties on Chalk Farm Road are approximately 12m away from the proposed new residential units. These units are all dual aspect with windows onto Chalk Farm Road and there are many single and two storey buildings located in-between the application site and these properties. Whilst it would be preferable if the distance between these properties was at least 18m, given the site context and the location of the existing building, this relationship is considered acceptable.

6.22 There have been objections from the occupant at 21 Ferdinand Street with regard to potential overlooking from the new residential units to the bedroom which has recently gained planning permission at no 21. The properties at 21 and 23 Ferdinand Street are approximately 18-19m away from the proposed new residential units on the opposite side of the courtyard and this is considered to be a sufficient distance to not have any detrimental overlooking issues.

6.23 The recently approved residential units at 10a Belmont Street do not have any windows which directly face the application site and these units are at fifth and sixth floor levels and are therefore at a higher level than the proposed residential windows at the application site. Whilst the new residential units are in close proximity, because of the angle and the fact that they are at different floor levels there are not considered to be any significant overlooking issues.

6.24 The proposed balconies facing the courtyard at first, second and third floor levels would be approximately 18-19m away from existing residential windows at 21 and 23 Ferdinand Street and are at different levels to the proposed residential units at 10a Belmont Street. Given these distances and height differences they are not expected to cause any overlooking problems.

6.25 The proposed introduction of residential accommodation at first, second and third

floors are therefore considered not to cause any serious worsening of overlooking relative to the existing situation.

### **Outlook/overbearing impact**

- 6.26 The proposed building is broadly within the same envelope as the existing building, albeit slightly taller (0.75m) with the rear elevation closer to the properties on Chalk Farm Road. At its closest point the new building is approximately 5m away from 66a Chalk Farm Road. Given the existing context with the existing building being approximately 6m away it is considered that the proposal would not result in any significant overbearing impacts or impacts on the outlook from any existing residential units.

### **Use**

- 6.27 The use of the ground as B1 floorspace and the introduction of residential units at first, second floor and third floor levels is not considered to have any amenity impact on surrounding properties in terms of noise or disturbance
- 6.28 Two ventilation ducts are proposed from the proposed ground floor plant room extracting at the top of the ground floor level. The plans show that the plant room will be used for heating and hot water supplies so it is unlikely that these are significant ventilation ducts. Because no specific details have been submitted a condition is recommended seeking further design details and any noise implications of these ducts.

### **Transport**

- 6.29 The site has a PTAL score of 6a, which indicates that it has an excellent level of accessibility by public transport. The nearest station is Chalk Farm, located to the west of the site. The nearest bus stops are located on Ferdinand Street, whilst additional bus services are available from Chalk Farm Road. The site is located within Controlled Parking Zone CA-F, which operates between 8.30am and 11pm Monday to Friday, and 9.30am and 11pm on Saturday and Sunday. A number of vehicles are currently able to park within the central courtyard.
- 6.30 No additional off-street parking is proposed for the residential units and these will need to be designated as being car free. No additional off street parking is proposed for the commercial units (on top of that already within the courtyard) and these will need to be designated as being car capped. These arrangements can be secured with a Section 106 Agreement.
- 6.31 Policy DP21 seeks to avoid causing harm to highway safety or hinder pedestrian movement. The proposal includes an area for cycle parking within the ground floor adjacent to the refuse store on the ground floor of 17 Ferdinand Street adjacent to the undercroft access road. There is an existing entrance doorway here which does not appear to have been used for some time and which opens outwards. Another existing door is located just within the courtyard and this too does not appear to have been used for some time and opens inwards (the main entrance to the existing unit is within the courtyard itself). Whilst some concern has been raised by adjoining occupiers with regard to the doors to the cycle and refuse stores being located within the covered section of alleyway (which is approximately 3m wide) they are not considered to be problematic. This is because they have been

designed to open inwards, will not increase the number of entrances at this point and due to the narrowness of the alleyway, it is necessary for vehicles to travel slowly. It is considered that the use of the cycle and bin stores is unlikely to conflict with the use of the alleyway by small service vehicles.

- 6.32 Policy DP17 requires development to sufficiently provide for the needs of cyclists, which includes cycle parking and states development must comply with Camden Parking standards which states that one storage or parking space is required per residential unit, however for larger residential units (3+ beds). In relation to the commercial elements one space is required per 250sqm over 500 sqm with a further requirement for 2 visitor spaces. There is therefore a requirement for 16 spaces for the residential units and none for the office units. The applicant has included provision for 16 cycle parking spaces with the provision of Sheffield stands at ground floor for the residential cycle parking and these will be secured with a condition.
- 6.33 In line with policies DP21 to repair any damage caused to the highway during construction and to tie the development into the surrounding urban environment, a financial contribution is to be secured with a S106 agreement to repave the footway adjacent to the site on Ferdinand Street (£8,235). A contribution towards pedestrian and environmental improvements in the wider area (£20,000) is also considered both reasonable and necessary.
- 6.34 Given the overall scale of development, location and limited means of access (via a narrow access road from Ferdinand Street) a draft construction management plan has been submitted. This lacks detail as to how development will actually take place (including swept path analysis, construction vehicle movements, requirements for any cranes and their associated movements and impacts on on-street parking spaces) and a full CMP will therefore be required to be submitted prior to any development taking place. This will be secured by means of the Section 106 Agreement.
- 6.35 The offices are currently serviced by the existing courtyard, which is used by a number of properties on Ferdinand Street and they have certain 'rights of way' access rights. Whilst this is relevant insofar as there is considered to be sufficient space in the rear courtyard for the other units to continue to be serviced any specific issues regarding changes to these 'rights of way' are matters between the individual landowners. Details are provided of the proposed servicing within the transport statement and this will be as existing, with smaller vans and cars using the courtyard area and larger lorries and vans loading/unloading from single yellow lines on Ferdinand Street. The existing commercial floorspace refuse is collected from the existing courtyard and the refuse bins are stored informally in this yard. The proposal is to house the commercial and residential refuse bins in an enclosed area within the ground floor of 17 Ferdinand Street and the proposal is for the existing refuse collection to continue.
- 6.36 It is considered that the proposed development will have a negligible impact on the operation of the local public transport network and that any servicing trips can be accommodated on the local highway network.

- 6.37 A secure entrance gate is proposed at the Ferdinand Road access. Notwithstanding the issues regarding land ownership and provision of these gates discussed in paragraph 6.12, these would normally be expected to be set back from the footway, so that a waiting vehicle can do so without blocking the footway. The Metropolitan Police's Crime Prevention Design Adviser has requested that the gate should be located at the back of the footway because of the levels of anti social behaviour in this area and this is considered acceptable.

#### Other matters

#### **Sustainability**

- 6.38 The overall approach to energy should be in line with the Mayor's Energy Hierarchy (i) using less energy; ii) supplying energy efficiently; ii) using renewable energy. With regard to the third element of the hierarchy there is a requirement for a 20% reduction in CO<sub>2</sub> through the use of on-site renewable technologies. In line with the first element of the hierarchy and with LDF and CPG requirements a Code for Sustainable Homes assessment has been submitted for the new residential units. Policy DP22 requires BREEAM assessments to meet a minimum very good rating and Code for Sustainable Homes level 3. Camden's CPG also goes beyond these requiring a minimum 50% score in the energy, water and materials categories for the Code for Sustainable Homes and a minimum score of 60% in the energy, 60% in the water and 40% in the materials categories for the BREEAM assessment.
- 6.39 In this case the applicants' pre-assessment suggests that the minimum 'very good' score and code level 3 can be achieved, as can the minimum scores in the energy, water and materials sub-categories in the Code for Sustainable Homes assessment and in the water and materials sub-categories in the BREEAM assessment. For the energy category in the BREEAM assessment a score of only 48% is achieved. The applicant has stated that this is because it is unviable to achieve the specification required because they are unable to achieve extensive use of PV panels or similar technologies. In addition the commercial floorspace element is largely the re-provision of the existing floorspace. BREEAM and Code for Sustainable Homes post construction reviews will be secured with a S106 to ensure that these targets are achieved in the final design.
- 6.40 It is not possible for the development to link into an existing or proposed decentralised energy scheme in line with the second element of the hierarchy. This is because the site is not in the vicinity of an existing or emerging network and is too restricted to provide on site CHP plant.
- 6.41 The use of renewable energy has been explored including ground source heat pump, solar water heating, photovoltaic panels, wind turbines, combined heat and power and biomass heating. The proposal is to include energy efficiency measures, a gas powered CHP and 125m<sup>2</sup> of PV panels on the main roof which will result in an overall reduction in CO<sub>2</sub> of 30%, 11.4% of which is from the PV panels.
- 6.42 Policy CS15 also seeks to ensure that new development conserves and enhances wildlife habitats by greening the environment. The applicants have stated that a green roof can be provided on the main roof adjacent to the proposed PV panels and details of this will be secured with a condition. There is considered to be

limited scope within the constraints of the development to provide any further biodiversity measures and the proposal is considered to be consistent with CS15

### **Community Infrastructure Levy (CIL)**

- 6.43 The proposal will be liable for the Mayor of London's CIL as the additional floorspace exceeds 100sqm or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £44,600 (892sqm x £50 – the first floor accommodation is included in this calculation as it is considered to be additional accommodation because it has been vacant for approx 16 years). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached to any consent advising the applicant of this charge if the application were to be approved.

### **Landowner matters**

- 6.44 A number of matters have been raised by adjoining landowners regarding private leases, fire escape routes, rights of way over the courtyard and rights of light issues. These are all private matters which will need to be resolved between the landowners outside of the planning process. Another issue has been raised with regard to an existing single storey building at 10a Belmont Street. This abuts the courtyard elevation of the application site and, if it is retained by the adjacent owners, will cut through a proposed residential window. The applicant has presumed that this building will be demolished in line with planning permission 2011/4415 as this permission is in the process of being implemented (preparation works have started on site). Should this permission not be implemented and the single storey building is consequently retained then the applicant will need to amend their scheme accordingly and an informative has been recommended on this.

## **7. CONCLUSION**

- 7.1 The demolition of the existing building at 19 Ferdinand Street is considered acceptable. The proposed loss of B8 floorspace and its replacement with B1 floorspace is considered to be acceptable and appropriate given the site context. The proposed building is considered acceptable in terms of design as the overall height of the building broadly fits within the envelope of the existing building, the composition of the front façade provides a clear distinction between base, middle and top of the building, and the building has a contemporary character which reflects the industrial character of its neighbouring buildings in its materials and detailing. There are no detrimental impacts from the building on surrounding residential properties in terms of overlooking, overshadowing or outlook.
- 7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:
- Affordable housing – provision of 1 x 1 bed and 2 x 2 bed social rented units on site
  - £8,235 financial contributions for any relevant repaving works in the area

- £28,769 financial contribution towards education
- £19,403 financial contribution towards provision public open space
- £28,420 financial contribution towards community facilities
- £20,000 financial contribution towards pedestrian and cycle improvements
- Car Free housing units and car capped office units.
- Construction Management Plan (CMP)
- Post construction Code for Sustainable Homes and BREEAM assessments. Compliance with these and the energy statement.
- Local labour and procurement (including provision of one apprentice during construction phase and recruitment and support fee of £1,500)

## 8. **LEGAL COMMENTS**

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