

Address:	Land at Cobden Junction Greater London House, Hampstead Road, London NW1 7QX	
Application Number:	2011/5122/P	Officer: Jenna Litherland
Ward:	Regents Park	
Date Received:	07/10/2011	
Proposal: Erection of 2-storey building with landscaped forecourt to provide a restaurant (Class A3).		
Drawing Numbers: 1288-E01-00-P1; 1288-E01-01-P1; 1288-E02-00-P1; 1288-E03-00-P1; 1288-P02-00-P1; 1288-P02-01-P1; 1288-P02-02-P1; 1288-P03-00-P1; 1288-P03-01-P1; 1288-P03-02-P1; 1288-P04-01-P1; 1288-P04-02-P1; Design and Access Statement by Vivendi Architects; BREEAM 2011 New Construction Pre-Assessment Estimator dated 04/10/2011; Energy Statement by Mendick Waring Ltd dated 05/10/2011; Arboricultural Report by Andrew Day Arboricultural Consultancy dated 04/11/2011; Site Investigations Report ref C12464 by Ground Engineering Limited; Service Management Plan by Vivendi Architects; Travel Plan Statement by Vivendi Architects.		
RECOMMENDATION SUMMARY: Grant conditional permission subject to S106		
Applicant:	Agent:	
Vazari Investments Limited Hamlyn House 21 Highgate Hill London N19 5PA	Vivendi Architects Ltd Bounds Green Industrial Estate Ringway London N11 2UD	

ANALYSIS INFORMATION

Land Use Details:		
	Use Class and Use Description	Floorspace
Existing	<i>The site is currently vacant. The last use of the site was as a Petrol Station (Sui Generis). This use ceased in 1996.</i>	0sqm
Proposed	<i>A3 Restaurants and Cafes</i>	256sqm

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

OFFICERS' REPORT

Reason for Referral to Committee: Reason for Referral to Committee: The development involves the creation of a new Class A3 use [Clause 3(iv)].

1. SITE

1.1 The application site is located on the junction of Hampstead Road and Mornington Crescent, adjoining Greater London House to the south. The site is currently vacant having previously been used as a petrol filling station until 1996. The site forms part of Greater London House which was constructed as the Carreras Tobacco Factory on the former Mornington Crescent Gardens in 1926. It was refitted for offices and renamed Greater London House in 1961 and substantially restored reinstating its Egyptian ornamentation in the late 1990's. Greater London House which is highlighted as making a positive contribution to the character and appearance of the Camden Town Conservation Area of which it forms a part. Mornington Crescent Tube Station building opposite, to the east across Hampstead Road, is grade II listed. This site is located just outside Camden Town Centre, the boundary of which runs along both Hampstead Road and Mornington Crescent.

2. THE PROPOSAL

2.1 Erection of a two storey building and a landscaping forecourt to be used as a restaurant (A3). The restaurant will have an internal floor area of 256 sqm and will provide up to 90 covers. Primary cooking would occur at ground floor level. Details of extraction equipment have not been provided at this stage as there is no end user. A disabled toilet would be provided at ground floor level to the rear of the building with additional separate sex toilets at first floor level. Refuse storage will be provided within the building on the northern-west corner with direct access to Mornington Crescent.

2.2 The area to the front of the new building will be used as a forecourt for the restaurant with outdoor seating. The forecourt will be largely hard landscaped with soft landscaping borders around the site and a number of trees in the centre. The forecourt will be bounded by black metal railings on a rendered plinth. There will be two access gates to the forecourt. One from the corner of the site at the junction of Hampstead Road and Mornington Crescent which will be the disabled access, and the other access will be from Hampstead Road. Cycle parking for visitors and staff will be accommodated within the southern part of the forecourt adjacent to the boundary with Hampstead Road. No parking or servicing bays are proposed.

3. RELEVANT HISTORY

3.1 2006/5309/P – Planning application submitted in December 2006 for the erection of a part single storey and part two storey building plus basement for use as a restaurant and coffee shop (Class A3). This application was withdrawn.

3.2 2003/1526/P – Planning application submitted in August 2008 for the erection of a four storey extension to office building (Class B1) on the former petrol filling station land, to provide a restaurant (Class A3) at basement and ground floor levels with offices (Class B1) above. This application was withdrawn.

3.3 PEX0000506 – Planning application was submitted in June 2000 for the erection of a building on basement, ground and 5 storey linked to Greater London House for retail (Class

A1) use on the basement and ground floors with office use within class B1 on the upper floors. This application was withdrawn.

3.4 8700597 – Planning permission refused in July 1987 for the erection of an additional 5000sqm of office floorspace.

3.5 8700596 – Planning permission refused in July 1987 for the erection of an additional 9000sqm of office floorspace.

4. **CONSULTATIONS**

4.1 **Transport for London** – No objection raised to the principle of the proposal. However, concern was raised that people leaving the restaurant may congregate at the main entrance on the corner of Hampstead Road and Mornington Crescent which could obstruct the passage of pedestrians.

4.2 **Metropolitan Police - Crime Liaison Officer** – No objection.

4.3 **Camden Town Conservation Area Advisory Committee** – Support - welcome the proposed design for a two-storey restaurant adjoining Greater London House the design and its materials complement those of Greater London House. Its simplicity and size, both in terms of height and bulk, will not overshadow the buildings in Mornington Crescent. However clarification is needed on the function of the projecting colonnade. Would not wish to see a canopy added at a later date as that would spoil the facade.

4.4 **Adjoining Occupiers**

	Original
<i>Number of letters sent</i>	14
<i>Total number of responses received</i>	0
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	0

4.5 A site notice was displayed from 21/10/2011 to 11/11/2011 and the application was advertised in the Ham & High on 27/10/2011. No consultation responses have been received.

5. **POLICIES**

5.1 **National Planning Policy Framework 2012**

5.2 **London Plan 2011**

5.3 **LDF Core Strategy and Development Policies**

- CS1 – Distribution of Growth
- CS5 – Managing the impact of growth and development
- CS7 – Promoting Camden's centres and shops
- 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

- CS16 – Improving Camden’s Health and well-being
- CS17 – Making Camden a safer place
- CS18 – Dealing with our waste and encouraging recycling

- DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses
- 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
- DP20 – Movement of goods and materials
- DP21 – Development connecting to the highway network
- DP22 – Promoting sustainable design and construction
- DP24 – Securing high quality design
- DP25 – Conserving Camden’s heritage
- DP26 – Managing the impact of development on occupiers and neighbours
- DP28 – Noise and Vibration
- DP29 – Improving access

5.4 **Supplementary Planning Policies**

- Camden Planning Guidance 2011 (CPG1-Design, CPG3-Sustainability, CPG5-Town Centres Retail and Employment, CPG6-Amenity, CPG7-Transport, CPG8-Planning Obligations)
- Camden Town Conservation Area Appraisal and Management Plan, 2007

6. **ASSESSMENT**

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

- **Land use principles**
- **Design**
- **Amenity** (including noise/fume mitigation and local management)
- **Contaminated Land**
- **Transport** (including servicing and refuse management)
- **Refuse and waste recycling**
- **Sustainability**

Land Use Principles

6.2 The proposal relates to the redevelopment of a vacant site. The previous use of the site as a petrol filling station (sui generis use) which ceased in 1996 and there are no specific policies which seek to protect this type of use.

6.3 In terms of the proposed use, consideration needs to be given to be given to its appropriateness.

Mixed use

6.4 The site is located just outside a town centre and therefore there is no requirement under policy DP1 (Mixed use development) to match any commercial uplift on the site with a similar amount of residential accommodation.

- 6.5 Policy CS7 (Promoting Camden's centres and shops) states that the Council will promote successful and vibrant centres throughout the borough to serve the needs of residents by making sure that food, drink and entertainment uses do not have a harmful impact on residents and the local area. Policy DP12 states that food, drink and entertainments uses such as restaurants are most appropriately located in commercial areas to minimise their impact on the amenity of local residents and that Town Centres are considered the most suitable location for such uses.
- 6.6 It is noted that this site is located just outside Camden Town Centre, however the boundary of the Town Centre is just across Hampstead Road to the east and across Mornington Crescent to the north. Considering this close proximity, alongside the site being surrounded by commercial neighbours, being highly accessible just opposite Mornington Crescent Tube Station and located a significant distance from residential uses, it has a character and context similar to a Town Centre. Consequently, an A3 use can be accepted in this particular instance, subject to amenity and local environment impacts that will be discussed further on in the report. The land use principle can be supported by polices CS7 and DP12.

Design

- 6.7 Policies CS14, DP24 and DP25 state that all new development should be of the highest standard of design, respect local context and character and preserve and enhance Camden's heritage assets.

Height, Scale and footprint

- 6.8 The proposed 2 storey building would be significantly smaller and lower in height than Greater London House and the design proposal is legible as an extension to the host building. The significant scale of Greater London House prevents the new development impacting upon its dominance. Moreover the height sensitively matches with the ground floor string cornice of Greater London House and aligns with the front building line. It is considered that the height and scale of the proposal would complement the setting of the adjacent buildings.

Design

- 6.9 The design echoes the solid to void ratio and fenestration pattern of Greater London House with glazed vertical windows between double height columns clad in stone to match the pristine white colour of Greater London House. The proposed contemporary design is simple and rational. The classical geometry responds to the Georgian townhouses opposite the site on Hampstead Road and provides a crisp, undemanding response to the site which will be a welcome introduction to this prominent corner site. The finishing material of the building would be Portland stone which is considered to compliment the appearance of Greater London House. The colonnade will not be covered. The applicant has confirmed that the intension of the design was not to create an opportunity to create a canopy, this addresses the concerns raised by Camden Town CAAC. The addition of a canopy at a later date would require a further planning permission. It would be conditioned that full scale samples of all finishing materials should be provided on site and then approved by the Council.
- 6.10 The proposed boundary railings around the site will be significantly lower that the railings around Greater London House. The railings will be of a simpler design to that at Greater London House and will sit upon a low rendered plinth. The height of the railings responds to the height of the proposed building and respects relationship between the proposed building and Greater London House. The design of the railings is considered to be a subtle modern interpretation of the existing railings at Greaten London which successfully relates to the new and host buildings.

- 6.11 The proposed development would improve the visual amenity of the area and enhance the character and appearance of the Conservation Area. The sympathetic scale and design would not impact detrimentally upon the robust form of Greater London House or the setting of the adjoining listed buildings. The proposal therefore complies with policies CS14, DP24 and DP25.

Trees and Landscaping

- 6.12 The applicant is accompanied by a Arboricultural Report. The building would have limited impact on existing trees. One Plane Street tree slightly overhangs the entranceway to the site and it is recommended in the report that one limb of the tree is reduced by 3 metres. This is considered acceptable by the Council's Tree Officers.
- 6.13 The building would have a forecourt to the front of the premises which would be used primarily for outdoor seating. The forecourt would be largely hard landscaped with planters along the northern and eastern boundary and tree planters centrally positioned in the forecourt. The layout of the forecourt is considered acceptable in principle however all hard landscaping should be constructed from permeable material. The detailed landscaping design would be required by condition.

Inclusive Design

- 6.14 Policies CS14 and DP29 requires all development is safe, inclusive and accessible for everyone. The topography of the site falls slight across the site from east to west. This results in neither of the public entrances to the forecourt being level. The entrance on Hampstead Road will have a step and the main entrance on the corner of Hampstead Road and Mornington Crescent will be ramped. The ramp will have a gradient of 1:15. The applicant has explored the options of creating level access, however this is not possible without impacting on the level access provided from Mornington Crescent which will be used for deliveries. Given the circumstances the proposed ramp is considered acceptable. Once within the forecourt all the entrances into the restaurant are level and a unisex wheelchair accessible WC will be provided at ground floor level. The proposal complies with CS14 and DP29.

Amenity

- 6.15 Core Strategy policy CS5 and Development Policy DP26 seek to ensure that the amenities of neighbouring residents are protected. Furthermore, when a food, drink and entertainment use is proposed, policies CS7, DP12 and DP28 seek to protect against noise, odour and general environmental pollution from such uses.
- 6.16 The nearest residential units are located on Mornington Crescent and the nearest windows of these units are a minimum distance of 18 metres away from the proposed development, therefore the proposal will not harm amenity in terms of privacy or outlook. Owing to the buildings low height it would not result in loss of daylight to neighbouring residential properties.

Noise

- 6.17 The applicant has not provided details of plant or ventilations ducting to be installed at the property. The Design and Access Statement states that the plant room, if required, will be located within the existing basement plan area of Greater London House. A standard background noise survey has been submitted which is considered satisfactory. However, any plant or extraction equipment would still need to be assessed by the Council in order to ensure that it would not harm the amenity of occupiers nearby residential and office

buildings. As such, any permission would include a condition requiring the submission of plant details.

- 6.18 The proposal includes an outdoor seating area (12 seats) in the forecourt which could generate noise. A condition will be imposed on any permission that the outdoor seating area shall not be used after 11pm in the evening in order to protect the amenity of nearby residents.

Cooking odours

- 6.19 Details of a mechanical extract and flue have not been provided as part of this application as there is currently no end users for the development therefore, their precise requirements are unknown. However, the position of the air extractor outlet is shown on the roof plan to the rear of the building. Any permission would require the submission of details of any mechanical extraction equipment and flue outlet to demonstrate the odour attenuation capabilities to ensure that no odour nuisance would occur from cooking. This would be conditioned.

Hours of operation

- 6.20 The intended opening hours of the proposed restaurant are 07:00 – 24:00 Monday to Saturday, and 07:00 – 23:30 on Sundays and Bank Holidays. The Public House opposite the site has a licence to open between 10:00-24:30 Monday – Saturday and 10:00 – 23:30 on Sundays. It is considered that proposed opening hours of the restaurant are appropriate given the location on the site within a commercial area next to Camden Town Centre and are comparable to operating hours of other food, drink and entertainment uses within the vicinity of the site. The hours of operation would be secured by condition.

Security

- 6.21 The application has been assessed as acceptable by the Crime Liaison Officer.

Contaminated Land

- 6.22 The Council expects proposals for redevelopment on sites which have the potential to be contaminated to take appropriate remedial action. The previous use of the site is as a petrol station and therefore the site has potential for contamination. The application is accompanied by Site Investigation Report and Remediation Strategy which does not identify significant contamination however, a condition would be included on any approval requiring a full assessment and remediation scheme should significant contamination be discovered during construction.

Transport

- 6.23 Parking
No car parking is proposed, this is appropriate and compliant with Policy DP18. The proposed A3 unit does not meet the thresholds for provision of parking as set out in Camden's Parking Standards for cycle parking, disabled parking, or servicing and taxi drop-off. However, the applicant has provided 5 cycle parking spaces which would be located within the forecourt. The provision of cycle parking spaces is welcomed. Any permission would include a condition to ensure that the proposed cycle parking meets Camden's design and layout criteria for cycle parking and that the cycle parking is retained and maintained thereafter.

Servicing

- 6.24 The application is accompanied by a Service Management Plan which confirms the servicing entrance to the building is on the Mornington Crescent Street elevation, and that loading and unloading for the development will take place on-street where there is currently a recessed kerb area. The proposed loading area is appropriate and would not impact on traffic flow or road user safety. It has been negotiated during the course of the application that the applicant would contribute to the extending the built-out area of pavement which would then be designated for loading and unloading. This would provide loading facilities for deliveries but also a wider footway for pedestrians when not in use. This would be secured through a S106 legal agreement. Compliance with the Service Management Plan would also be required by a S106 legal agreement.

Travel

- 6.25 The applicant has submitted a Travel Plan Statement which seeks to encourage and promote efficient and sustainable modes of travel, such as cycling, walking and public transport, for both staff and customers of the development. It estimated that the restaurant could accommodate up to 140 customers during peak times and between 10-16 staff members. In-house public transport information would be provided including leaflets, map and information on the nearest cycle hire docking stations. The applicant has also confirmed that lockers will be provided for staff for storing cycling equipment and clothing. This provision of these measures is welcomed.

Construction Management

- 6.26 Owing to the location of the proposed development within a controlled parking zone on Hampstead Road which forms part of the Transport for London Road Network, and the scale of works, a Construction Management Plan (CMP) would be required to demonstrate how the development will minimise impacts from the movements of good and materials, in accordance with policy DP20. The CMP will be secured by a S106 legal agreement.

Highway Safety to Pedestrians

- 6.27 In response to the TfL's concerns regarding people congregating around the entrance obstructing the passage of pedestrians, the situation would be no different to the Public House opposite which has its entrance on the corner of Mornington Crescent and Camden High Street. If the entrance was moved people would still congregate outside it. People congregating on the pavement in this area could also results in vehicles taking more care owing to the number of pedestrians around.

Refuse and waste recycling

- 6.28 All new developments are required to provide adequate facilities for recycling and the storage and disposal of waste in accordance with Core Strategy policy CS18 and Development Policy DP26. The proposal does not include a specific refuse and recycling store. However, the applicant confirms in the Design and Access Statement that refuse and recycling would be collected from the unit on a daily basis by a private contractor. The details of waste and recycling collecting would be required by condition.

Sustainability

- 6.29 The proposed floorspace falls significantly below the policy P22 500sqm threshold for sustainable measures to be included. However, the applicant has proactively provided a BREEAM 2011 pre-assessment which indicates that the building would achieve a 'very good' rating and would achieve over 60% of the un-weighted credits in the Energy and Water sections and 40% in the Materials section in compliance with the guidance in CPG3-Sustainability. This is welcomed and the submission of a post construction review to

ensure that the development meets the scores demonstrated in the pre-assessment would be secured by a section 106 legal agreement.

- 6.30 The submitted energy statement confirms that the proposal will achieve a 20% reduction in carbon dioxide emissions. 6% would be saved through energy efficiencies (be lean) and include insulation, double glazing with low U values, an energy efficient heat recovery ventilation system and energy efficient lighting and appliances. 15% through renewable energy technologies (be green) in the form of ground source heat pumps. The proactive provision of energy efficiency measures and renewable energy technologies is positive. The provision of these measures would be secured by S106.
- 6.31 An intensive green roof is proposed across the entire roof. The installation of the green roof is considered acceptable in design terms. In terms of biodiversity the roof could potentially slow down run off and improve habitat for plants, invertebrate and associated bird species. This is considered acceptable. Any planning permission should be conditional on the submission and approval of details of the construction, planting and management of this roof.

Community Infrastructure Levy (CIL)

- 6.32 The proposal will be liable for the Mayor of London's CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £12,800 (256 sqm x £50). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

7. CONCLUSION

- 7.1 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-
- Highways works – repaving vehicular access, provision of loading pad (estimate £5,000-7,000)
 - Service Management Plan
 - Sustainability Plan (BREEAM)
 - Construction Management Plan

8. LEGAL COMMENTS

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