

Delegated Report		Analysis sheet		Expiry Date:		30/12/2011	
		N/A / attached		Consultation Expiry Date:			
Officer				Application Number(s)			
Neil McDonald				2011/5661/P			
Application Address				Drawing Numbers			
22/24 St Pancras Way London NW1 0QG				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Details of sustainability statement demonstrating BREEAM accreditation required by condition 12 of planning permission granted 12/03/2007 (ref: 2006/5700/P) for (demolition of existing commercial buildings and replacement with a mixed use development of 4-6 storeys, comprising Class B1/B8 use units on the ground floor with 72 residential units)							
Recommendation(s):		GRANT APPROVAL OF DETAILS					
Application Type:		Approval of Details					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:		No consultation required					
CAAC/Local groups* comments: <small>*Please Specify</small>		N/A					
Site Description							
Former industrial canal-side site fronting St Pancras Way. The site was granted planning permission for a mixed use development in March 2007. The building was completed in 2009/10.							
Relevant History							
12/03/07 – Planning permission (2006/5700/P) and conservation area consent (2006/5702/C) granted for demolition of existing commercial buildings and replacement with a mixed use development of 4-6 storeys, comprising Class B1/B8 units on the ground floor with 72 residential units (Class C3) on floors above (36x1-bed, 22x2-bed, 10x3-bed and 4x4-bed units).							
All approvals of details have been issued except for condition 12 relating to the submission of a sustainability statement for the ground floor industrial units.							

Relevant policies

LDF Core Strategy and Development Policies

CS13 – tackling climate change, DP22 – sustainable design and construction

Assessment

Condition 12 states:

Prior to occupation of the relevant part of the development, the applicant must submit to the local authority a sustainability statement regarding the business units. The statement must be prepared by a recognized independent verification body demonstrating a BREEAM accreditation of at least Very Good. The development shall not be commenced until such time as the submitted statement has been approved and shall be completed in full accordance with the recommendations of the statement.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance policy SD9C of the London Borough of Camden Replacement Unitary Development Plan 2006 and the London Plan 2004.

Sustainability matters for this development were addressed in the section 106 Legal Agreement attached to the planning permission granted in 2007, which required a post-construction BREEAM/EcoHomes accreditation for the residential units. This requirement has been fulfilled. However the two industrial units at the ground floor level were subject to a planning condition instead which required sustainability details to be submitted at a later date. The 2007 committee report noted in this respect “*no BREEAM assessment has been made yet for the non-residential component of the scheme. As this concerns a reasonably small component of the scheme and the applicant will not be the occupier, the details in this respect could be sought prior to fit out and occupation*”. This was dealt with by condition 12 requiring submission of a ‘sustainability statement’ prior to occupation.

After remaining vacant since the completion of the development in 2009/10 it is now understood that an occupier for one of the units has been found and fitting out of the unit is in progress. The submitted details are therefore to allow occupation to proceed in accordance with the condition 12.

The submitted details consist of a Preliminary BREEAM assessment for commercial space at ground level block A & B dated 22/06/2007. This sets out the expected number of credits in each BREEAM category totalling 59.85% of available credits, sufficient for a Very Good score.

The condition does not specify a post construction accreditation certificate as would be the case if a section 106 agreement had been entered into, rather it requires a statement demonstrating a ‘Very Good’ score prior to occupation, in accordance with which the development (in this case meaning the fit-out of the units) would then proceed.

The submitted details are therefore considered to meet the requirements stated by condition 12, which can now be discharged.

It is recommended that an informative be attached to the notice of discharge advising that a post-construction accreditation certificate be forwarded to the Council once the fit-out is complete in order to verify compliance with the second part of the condition (i.e that fit out has been in accordance with the details approved).

Recommendation: approve the submitted details and discharge condition 12

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