

Delegated Report		Analysis sheet		Expiry Date:		28/12/2011	
		N/A / attached		Consultation Expiry Date:		22/12/2011	
Officer				Application Number(s)			
Jonathan Markwell				2011/5226/P			
Application Address				Drawing Numbers			
139-147 Camden Road London NW1 9HA				Please see decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Erection of new 5 storey building on land to east of existing motor vehicle maintenance and repair centre (Class B2) to provide 9 (1x studio, 4x1 bed, 2x2 bed and 2x3 bed) self-contained residential units (Class C3) and retention of part of the ground floor parking (reduction from 9 to 3 spaces) associated with existing motor vehicle maintenance and repair centre.							
Recommendation(s):		Refuse Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	68	No. of responses	04	No. of objections	02
				No. electronic	00		
Summary of consultation responses:		<p>A site notice was erected on 25/11/2011, expiring on 16/12/2011. A press notice was published on 1/12/2011, expiring on 22/12/2011. A total of four responses were received.</p> <p>An occupier of 145 Camden Road is supportive of the application "as it will greatly improve the area and the general design of the building is very good and appealing to the surroundings. I am aware that there is a great shortage of housing in the area and any new developments should be welcomed".</p> <p>An occupier of 214d Camden Road comments that "I have no objection with the proposed planning application".</p> <p>A representative of the Camden School for Girls, Sandall Road objects stating "the plot is not vacant. It has a recently built garage on it". The Council emailed the school to advise them of the nature of the proposals and invite further comment (if necessary). No response to this has been provided.</p> <p>An occupier of 127a Camden Road objects on the basis of:</p> <ul style="list-style-type: none"> - the proposed scheme is not in proportion with surrounding buildings; 					

	<ul style="list-style-type: none"> - the proposed materials are not considered to be in sync with the surrounding area “and use too much of an industrial style, use of metal to the ground floor is of particular concern. The materials are out of synch with the surrounding residences” - overdevelopment of the site – “9 new dwellings is too many flats” - road safety concern by adding 16 parked cars to join Camden Road - query over land contamination / environmental survey.
CAAC/Local groups* comments: *Please Specify	None.

Site Description

The application site (as outlined by the red line plan submitted by the applicant) comprises a recently completed motor vehicle maintenance and repair centre (Class B2). This is located on the north-west side of Camden Road between the junction with Sandall Road (to the south-west) and Cantelowes Gardens (to the north-east). The site currently comprises an in active use single storey building with access from Sandall Road. There is also a vehicular access point from Camden Road, leading into a 9 space (as denoted by the approved plans as part of 2006/3570/P) off-street parking area. This is adjacent to the boundary with Cantelowes Gardens (a public open space) and is the proposed position of the building sought by this application.

The application site is immediately above a mainline railway line (part of the Thameslink route from King's Cross). It is understood that the site was the location of the former Camden Road Midland Railway Station, which closed in 1916. Camden Road is a red route so forms part of the TfL Road Network (TLRN). The application site is located within a controlled parking zone (CA-M, which operates from 0830 to 1830 Monday to Friday), has a PTAL of 4 (moderate). It is also within an identified area which is susceptible to slope stability and is just outside the left lateral assessment area of the protected vista from Kenwood to St Paul's Cathedral (which is to the west).

Camden Road represents the boundary of the Camden Square Conservation Area. As such the application site is outside but opposite and adjacent to the conservation area. The surrounding area comprises a mix of uses, such as residential properties on the south-east side of Camden Road and further to the south-west and north-east, Cantelowes Gardens, the railway line and a petrol station.

Relevant History

2006/3570/P - Demolition of the existing building and canopy structure and erection of a new single storey building in connection with the change of use from a petrol filling station (Sui Generis) and motor vehicle sales yard (Sui Generis) to a motor vehicle maintenance and repair place (Class B2) and associated parking. Granted following completion of Section 106 Legal Agreement 11/08/2008.

2010/5596/P - Erection of new 6 storey building on vacant land, to provide 9 x self-contained residential units (4 x 2 bedroom flats and 5 x 4 bedroom flats) (Class C3). Refused 11/03/2011.

Reasons for refusal:

1. The proposed development, by reason of its height, bulk, mass, footprint and detailed design, would be detrimental to the streetscape along Camden Road and the character and appearance of the neighbouring Camden Square Conservation Area, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

2. In the absence of sufficient mitigation measures to protect future residents from noise and vibration from the neighbouring railway line, the applicant has failed to demonstrate that the development would not harm the amenity of future occupants and the development is therefore considered to be contrary to policies CS1 (Distribution of Growth) and CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise

and vibration) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies.

3. The proposed development, by virtue of failing to provide adequate on-site cycle storage facilities for the new residential units, would fail to support travel by means of sustainable transport, contrary to Policies CS11 (Promoting sustainable and efficient travel), of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 (Walking, cycling and public transport) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies.

4. The proposed development, by virtue of failing to provide adequate on-site lifetime homes standards for the new residential units, would fail to support lifetime home standards contrary to policy DP6 (Lifetime homes) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies.

5. The proposed development, in the absence of a legal agreement requiring that the new residential accommodation meet Level 3 of the Code for Sustainable Homes would fail to be sustainable in its use of resources, contrary to Policies CS13 (Tackling climate change through promoting higher environmental standards) and CS16 (Improving Camden's health and well-being) of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies.

6. The proposed development, in the absence of a legal agreement to secure a financial contribution towards educational provision, would be likely to contribute to increased pressure and demand on the Borough's educational facilities contrary to policy CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies.

7. The proposed development, in the absence of a legal agreement to secure public open space contributions, would be likely to contribute unacceptably to pressure on the Borough's open space facilities, contrary to policies CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies.

8. The proposed development, in the absence of a legal agreement to secure car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area contrary to Policies CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policies DP18 (Parking standards and the availability of car parking) and DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies.

9. The proposed development, in the absence of a legal agreement to secure contributions to ensure a highway contribution to mitigate against the impact of development, contrary to policy CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP21 (Development connecting to the highway network) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies.

10. The proposed development, in the absence of a legal agreement to secure the provision of a Construction Management Plan/Construction Logistics Plan, would be likely to contribute unacceptably to traffic disruption and dangerous situations for pedestrians and other road users contrary to CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP21 (Development connecting to the highway network) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies.

Relevant policies

LDF Core Strategy and Development Policies

- CS1 – Distribution of growth
 - CS4 – Areas of more limited change
 - CS5 – Managing the impact of growth and development
 - CS6 - Providing quality homes
 - CS8 - Promoting a successful and inclusive Camden economy
 - CS11 - Promoting sustainable and efficient travel
 - CS13 - Tackling climate change through promoting higher environmental standards
 - CS14 - Promoting high quality places and conserving our heritage
 - CS15 - Protecting and improving our parks and open spaces & encouraging biodiversity
 - CS16 - Improving Camden's health and well-being
 - CS17 – Making Camden a safer place
 - CS18 – Dealing with our waste and encouraging recycling
 - CS19 - Delivering and monitoring the Core Strategy
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- DP2 - Making full use of Camden's capacity for housing
 - DP3 – Contributions to the supply of Affordable Housing
 - DP5 - Homes of different sizes
 - DP6 - Lifetime homes
 - DP13 - Employment sites and premises
 - DP16 - Transport implications of development
 - DP17 - Walking, cycling and public transport
 - DP18 - Parking standards and 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
 - DP23 - Water
 - 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
 - DP31 – Provision of, and improvements to, public open space and outdoor sport and recreation facilities
 - DP32 - Air quality and Camden's Clear Zone

Camden Planning Guidance 2011

Camden Square Conservation Area Appraisal and Management Strategy March 2011

Camden Tree Strategy

Camden Biodiversity Action Plan

London Plan 2011

Assessment

Introduction

Planning permission is sought for the erection of a new 5 storey building on land to east of existing motor vehicle maintenance and repair centre (Class B2) building (presently used for on-site parking associated with the use) to provide 9 (1x studio, 4x1 bed, 2x2 bed and 2x3 bed) self-contained residential units (Class C3). It is also proposed to retain part of the ground floor parking (reduction from 9 to 3 spaces) area on site associated with existing motor vehicle maintenance and repair centre, with a newly located crossover from Camden Road. The ground floor level will also provide refuse and recycling facilities for the centre and residential units, cycle parking and a lift to the upper floors for the residential units. At roof level areas of sedum roof are proposed alongside solar panels. It is also proposed to remove a tree within Cantelowes Gardens (outside of the red line of the application site) and replace this with two new trees.

The proposed scheme represents a resubmission following the refusal of a similar application at the site earlier in 2011 (see relevant history above).

Revisions

During the course of the application a range of additional information and revised plans were submitted by the applicant after feedback was provided to the applicant. A summary of the main changes and additional information submitted were as follows:

- details of ground floor entrance to the parking area and residential accommodation, servicing arrangements and amended refuse facilities at ground floor level;
- internal alterations to the residential units in order to address lifetime homes criteria;
- details of the solar panels and increased amounts of sedum roof;
- internal plan of the motor vehicle maintenance and repair centre provided;
- alterations to the ground floor side (north-east) elevation with plant boxes and growers;
- more information in respect of the code for sustainable homes pre-assessment and energy strategy
- email in respect of impact on shading of Cantelowes Gardens;

The application has been considered on the basis of the revised plans submitted during the course of the application.

Land use

The lawful use of the part of the site to be developed is Class B2, as it is the on-site parking area in association with the motor vehicle maintenance and repair centre granted permission in 2008 and now fully operational at the site. Part of the ground floor is being retained for the parking associated with the motor vehicle maintenance and repair centre granted. The impact of the development on this area is discussed further in the transport section below. In relation to the proposed residential use, housing is the priority land use of the LDF and thus the proposal would make full use of Camden's capacity for housing. The proposals are thus in general accordance with CS6.

The proposed scheme incorporates 9 self-contained residential units and a gross floor area of 929.6sqm (as per the accommodation schedule provided by the agent). Policy DP3 seeks for all developments with a capacity of 10 units (or 1000sqm floor space) or more to make a contribution to affordable housing. The proposed scheme is below the threshold for affordable housing in terms of number of units and overall floor area. As such a contribution to affordable housing is not considered to be able to be sought in this instance.

Quality of residential accommodation

Mix

The proposed mix is 1x studio, 4x1 bed, 2x2 bed and 2x3 bed. As such the development would provide a mix of large and small units in line with DP5. Although the proposal does not provide the 40% target for 2 bed units (as outlined in the dwelling size priority table - the proposal is for 22% of the units to be 2 bed units) the refusal of the application on these grounds would not be sustainable at appeal given the overall mix provides 1, 2, 3, and 5 person units. Therefore the proposed mix is considered to be satisfactory

Size /quality of units

The proposed units are all regular in size and shape, with the overall flat and bedroom sizes meeting the standards outlined in CPG and the London Plan. Although some of the units are single aspect with windows only facing to the east of the site (flats 3, 5, 7 and 9) it is considered in overall terms that the quality of the accommodation is satisfactory for future occupiers in this regard.

Lifetime homes

As new build dwellings the scheme is required to fully comply with the requirements of Part M of the Building Regulations. In addition planning policy DP6 requires all the dwellings to be designed to Lifetime Homes Standards. Although revised plans have been submitted during the course of the application in an attempt to address lifetime homes concerns raised by officers, there remains concerns in this regard. Although neither a revised D&AS has been submitted detailing the 16 Lifetime home requirements, nor a statement detailing all 16 points have been provided (making it difficult to assess if all standards have been met in full) it is nevertheless considered that some of the requirements which have not been met are as follows:

- There appears to be a height change between the street level and ground floor level but no indication of how this is dealt with. Full details should have been provided but have not been.
- The clear widths of any double leaf doors will need to comply with the door width requirements of Lifetime Homes i.e. 800mm minimum to each leaf. The entrance and corridor doors do not appear to meet these dimensional requirements.
- The widths of doors within the individual dwellings should comply with the requirements – a number appear to be narrower than that required and thus the proposals are deficient in this regard;
- The required circulation space within the bedrooms does not appear to have been achieved throughout the building.
- Details of the bathroom layouts indicating dimensions (in order to make a full assessment in this regard) have not been provided to demonstrate compliance in this regard.

Given these deficiencies identified on the revised plans this represents a reason for refusal of the application, contrary to CS6 and DP6.

Waste and recycling

The designated recycling and waste storage area at ground floor level is considered to be adequate for future occupiers and the existing business at the site. Please see the transport section below in respect of recycling and waste vehicle access and servicing considerations.

Design

One of the previous reasons for refusal related to the height, bulk, mass, footprint and detailed design

of the building being detrimental to the streetscape and character and appearance of the neighbouring conservation area. The proposals are acknowledged to have been amended with view to overcoming this reason for refusal. However, in overall terms it is considered that the now proposed scheme, remains contrary to policies CS14, DP24 and DP25. The policies seek to promote high quality places by building attractive and safe development of a high standard of design. The proposal is not considered to be of sufficient architectural quality in its current form and thus this forms the basis of a reason for the refusal of the application.

Considering first height and bulk matters, it is acknowledged that the buildings on this side of Camden Road do vary in height. More specifically it is noted that taller buildings exist closer to the more densely built Camden Town. The north-west side of Camden Road contains semi-detached and detached buildings with a defined building line set back from the road giving a greater sense of space. Buildings rise to a maximum height of 4 storeys. Where they are taller they are generally set back further from the street frontage.

The immediate location is more open and spacious, due to the railway line to the south and public open space to the north and west preventing development in and around the site. Given the site is located independently surrounded by open space which will not be built upon there is acknowledged to be no particular context or established pattern on development it needs to relate or respond to. Therefore in this regard the height, which is broadly consistent with the adjoining building, bulk and footprint are not considered to be objectionable in the present scheme. This consequently overcomes these parts of the previous reason for refusal.

However, when moving on to more detailed design matters, such as materials for example, the proposal is not considered to be attractive or respectful of the local context and character. The design and materials are considered to be of inferior quality from that the Council would expect in this area and the ground floor does not provide a welcoming or safe environment, with the railings only to part of the height of this elevation leading to opportunities for crime, fear of crime and anti-social behaviour (contrary to CS17).

The LDF states that the "The Council is committed to design excellence and a key strategic objective of the borough is to promote high quality, sustainable design.... We will therefore apply policy DP24 to ensure proposals are of the highest standard of design." Although there is little direct context the site is located on a prominent site, adjacent to public open space and on the boundary of the CA. In this regard any design needs to be of the highest quality. This is confirmed in the supporting text to policy DP24 at paragraph 24.12, which states "In areas of low quality or where no pattern prevails, development should improve the quality of an area and give a stronger identity."

Unfortunately the current proposal is not considered to be sufficient architectural quality in its own right. Of particular concern is the use of materials and design of the ground floor as well as the continuity of design. It is considered that the building will be seen in 3d from all sides however the rear appears to be of interior quality and design.

The ground floor railings create a front elevation which is unwelcoming and potentially creates an insecure frontage that lacks visual interest without an active frontage. It also has little relationship with the upper floors of the proposed building.

The ground floor elevations to the park are also considered to be of insufficient quality, with a predominantly brick wall and no clear indication of what is proposed in the area above the wall and below the first floor level. It could be that this area is without any material, which again raises possible crime and security concerns. Moreover the design is considered to fail to 'ground' the building and has no relationship with the main facades. The impression of a building at ground level is important because buildings are generally experienced at ground floor level. In this instance the flank is also of importance given the proximity to the park. It is thought that Insufficient consideration has been given to the design in this respect.

Looking at national guidance, in accordance with government guidance in Planning Policy Statement (PPS) 1 – Delivering Sustainable Development - authorities should not accept design that is inappropriate to its context or which fails to take opportunities to improve the character and quality of an area and the way that it is used by residents and visitors. Moreover the proposals are also considered to be contrary to PPS5 policy HE10. For the reasons outlined above the proposal is not considered to preserve or enhance the setting of the adjoining heritage assets including the Camden Square Conservation Area and Canteloves Gardens public open space.

Thus by reason of its detailed design and materials the proposals would be detrimental to the streetscape, character and appearance of the neighbouring conservation area and fails to provide appropriate security and community safety measures (leading to potential instances of crime, fear of crime and anti social behaviour). This constitutes a reason for refusal of the application.

Amenity

In relation to overlooking, outlook and noise and disturbance matters it is not considered that the proposed development would have a significant impact on neighbouring or nearby occupiers along Camden Road. As noted in the quality of accommodation section above and the environmental health section below the amenity for future occupiers is considered, on balance, to be satisfactory.

In terms of sunlight and daylight matters the applicant has submitted a report which considers the impact on neighbouring properties 208, 210, 212 and 214 Camden Road (located opposite the site). This satisfactorily demonstrates that these nearby occupiers will not be significantly impacted as a result of the proposal. The bulk of the proposed development is less than that previously refused and this was not raised as an issue at this point in time. Moreover it remains the view that the sunlight/daylight implications are minimal and will not lead to a loss of amenity for nearby occupiers.

Environmental health

One of the previous reasons for refusal of the application from earlier in 2011 was owing to the absence of sufficient mitigation measures to protect future residents from noise and vibration from the neighbouring railway line. In this submission the applicant has submitted a more detailed Noise Assessment, which has again been considered by the Council's Environmental Health team. The updated information is considered to satisfy the Council's Environmental Health team that the proposals would not significantly impinge on the amenity of future occupiers, subject to conditions. As such this does not form a reason for refusal of this application as the information provided is sufficient in this regard.

Sustainability

Following the submission of additional information during the course of the application the applicant has submitted sufficient information in respect of a code for sustainable homes assessment. This is required as per policy DP22 and complemented by Camden Planning Guidance 3 (Sustainability). The information provided demonstrates sufficiently that the scheme is anticipated to meet Level 4 standards, which is above the level 3 requirement required at present. To ensure that the Levels said to be achieved occur in practice a design stage and post construction review are secured via a S106 Legal Agreement (in line with DP22, CPG3 and CPG8). However, given that the scheme is currently unacceptable in other respects, the failure to enter into this Legal Agreement on this basis will be added as a reason for refusing planning permission. However, it is recommended that an informative be added to any decision notice, indicating that this could be overcome, in the context of a scheme acceptable in all other respects, by entering into a Legal Agreement with the Council.

The applicant has also submitted as part of the 'sustainability statement' an energy report, consistent with the requirements of predominantly DP22 and CPG3. This shows that through a combination of methods, including the building having a efficient thermal envelope (such as window/wall/door u values and air permeability) and the provision of a series of solar thermal panels that the carbon reductions (after energy efficiencies will be) between 27% and 39% for each flat. This is welcomed in

principle. However to ensure that the implemented scheme actually carries out the various measures the S106 Legal Agreement secures all of the information and measures to be brought to fruition. However, given that the scheme is currently unacceptable in other respects, the failure to enter into this Legal Agreement on this basis will be added as a reason for refusing planning permission. However, it is recommended that an informative be added to any decision notice, indicating that this could be overcome, in the context of a scheme acceptable in all other respects, by entering into a Legal Agreement with the Council.

Trees / landscaping / open space

As noted in the site description section above, the proposed development is located on a plot of land adjacent to the south-west corner of Cantelowes Gardens. The park is known to be well used and has an active Friends group. There are also plans to plant fruit trees (some of which have already been planted in this corner of the gardens) and enhance the ecological value of the park by planting native hedgerows around some of the boundaries. The development will cast shade over a section of the park, reducing the opportunity for biodiversity and tree planting. The applicant was advised during the course of the application to submit a shading impact assessment in order to fully assess the impact the development will have on the park and on future opportunity for biodiversity provision and general enjoyment of this open space. The information within the sunlight and daylight report is not sufficient in this regard. Thus the proposals are contrary to policy CS15 (Protecting our parks and open spaces and encouraging biodiversity) in this regard and this consequently forms a reason for refusal of the application.

The development will also have an impact on a Whitebeam which is growing within the park. This tree is located near the boundary and overhangs the development plot slightly. As the development comes right up to the boundary, the tree will either require constant heavy pruning or may have to be felled. This tree is part of a group of trees facing the busy Camden Road and creates a buffer zone between the park and the road. During the course of the application officers advised that the applicant should consider setting the building back to allow the retention of this tree or justification for its removal and provide a method statement relating to the trees protection during any development works. The applicant has shown on a roof plan that the tree is proposed to be removed, with two replacement trees shown to be planted behind the existing row. It is considered that the proposed removal of this tree would have a detrimental impact on this identified buffer zone and the visual amenity this group of trees provide. The tree proposed to be removed is considered to be integral to this group and thus the location of the two proposed trees (although the applicant annotates on the plan that the location is not fixed as the "position to be decided at a later date") would not necessarily mitigate against its loss. It does not appear that the applicant has considered amending the proposals for this part of the building or carried out any survey work or method statements to attempt to retain it as part of the proposal. As such the loss of the existing tree is considered to constitute a reason for refusal of the application, contrary to policies CS15 and DP24f.

The provision of a sedum roof is welcomed in principle. Had the scheme been considered to be appropriate details of this roof would have been secured via a suitably worded condition.

All residential developments of five or more units are required to provide a financial contribution to the provision, maintenance and improvement of open space should public open space not be provided on site. In this instance, based on the size of the proposed units a contribution of £11,327. Without such a contribution the scheme would add acceptable pressure to the Borough's open space facilities. Given that the scheme is considered to be unacceptable in other aspects, this constitutes a further reason for refusal of the application. An informative is however recommended to be added to the decision notice denoting that this reason for refusal could be overcome, in the context of a scheme acceptable in all other respects, by entering into a legal agreement with the Council. This is without prejudice to any future application or appeal at the site.

Transport

Policy DP19 supports the reduction of parking spaces at sites but any reduction must not have a

negative impact on parking in the surrounding area. In this instance the approved plans for the recently implemented 2008 permission denoted 9 spaces in the area where the proposed development is now proposed. It was seen during the officer site visit that this space was in fact being utilised for considerable more than 9 vehicles. The proposals, as confirmed during the course of the application denote that parking spaces at ground floor level at this point would reduce to 3 in total. DP19 parts c) and f) details that the Council will not support any application that would otherwise harm existing on-street parking conditions or create a short fall of parking provision for operational business parking requirements.

As alluded to above it has been identified that six on-site car parking spaces connected to the existing motor vehicle maintenance and repair centre will be removed, reducing the available parking to the rear side of the property linked to the vehicle service centre to three spaces. Although the existing operator Autodeutsche has identified this would not be an issue for daily operations this is not fully supported by the Council as the operator is a business which has recently occupied this site, having outgrown a previous site. Given the nature of the business requiring on-site parking the reduction of six spaces is considered to be likely to harm existing on-street parking. This is particularly likely along Sandall Road, with the likely displacement of these vehicles anticipated to be at this point. Moreover, given this area is already well used (as seen during the officer site visit) for parking on-site this loss of six spaces could impact the daily operations of the business. The proposal is therefore recommended for refusal as the development does not meet Policy DP19 conditions and the applicant has not provided commentary of evidence to illustrate that this policy will be met.

Moving on to consider the proposals to connect to the highway, policy DP21 seeks to protect the safety and operation of the highway network. The revised plans submitted during the course of the application identify a new crossover access proposal as part of the scheme. Policy DP21 parts a) and b) outlines the criteria in relation to developments connecting to the highway network. In relation to the proposed new crossover, no swept path analysis has been provided to support this proposal and more importantly the Council does not support a refuse vehicle reversing into a site from a major road, as indicated by the proposed plans. It is considered that given the site already has an existing crossover located on Camden Road serving the site (which would become redundant as a result of the proposals and be required to be removed – see later paragraphs for details), should access be required for the operational needs of the business then this should be via this existing access point and not through the provision of a new crossover. The Council does not support new vehicular access points directly from/to the Transport for London Road Network (TLRN) which Camden Road is classified as. In addition the Council does not support the requirement of refuse vehicles having to reverse from a major road into a service area. The Council's Environmental Services team has confirmed via Veolia, the Council's waste contractor, that the proposed access to the bins by reversing the collection vehicle is not practical. As well as the TLRN constraint, there are also traffic lights nearby and a petrol station almost opposite the site. For all of these reasons this element of the proposals therefore forms a reason for refusal as it does not meet the requirements of predominantly DP21.

Furthermore, to enable this development to be implemented as detailed on the revised submitted plans, a Crossover application would be required to be made with Transport for London and Camden, given the TLRN status of Camden Road. As the new access proposal is shown connecting directly to the TLRN it is possible that an application for this crossover would not be supported by TfL or Camden.

In terms of cycle parking, 11 spaces are required for the proposed number and size of units. The ground floor layout provides space for 16 sheffield cycle stands. This is welcomed in principle and had the proposal been considered appropriate in overall terms these would have been secured via condition.

The proposed residential units are required to be secured as car-free units, owing to the site having a (PTAL) of 4 (moderate) and being within a Controlled Parking Zone (CPZ). Therefore not making the development car-free would increase demand for on-street parking in the CPZ the site is within, in line

with DP18 and CPG7. Given that the scheme is considered to be unacceptable in other aspects, this constitutes a further reason for refusal of the application. An informative is however recommended to be added to the decision notice denoting that this reason for refusal could be overcome, in the context of a scheme acceptable in all other respects, by entering into a legal agreement with the Council. This is without prejudice to any future application or appeal at the site.

Given the scale of development and location of the site it is considered that a construction management plan (CMP) would be required (in line with predominantly policies DP20, DP21 and DP26). Factors include the site being on a red-route, railway lines running underneath the site and the development taking place on-top of an existing business. Thus the proposal is considered to lead to challenging issues for construction. Moreover the proposals would result in a large number of construction vehicle movements to and from the site, which would have a significant impact on the local transport network. This is supported by TfL, who have also requested a Construction Logistics Plan. Given that the scheme is considered to be unacceptable in other aspects, this constitutes a further reason for refusal of the application. An informative is however recommended to be added to the decision notice denoting that this reason for refusal could be overcome, in the context of a scheme acceptable in all other respects, by entering into a legal agreement with the Council. This is without prejudice to any future application or appeal at the site.

Had the proposal for the new crossover been considered appropriate (see above for details), a financial contribution would have been sought and secured via S106 for the making good of the existing crossover and the installation of the newly proposed one. This would have been secured together with a financial contribution considered to be required to promote environmental, public realm, walking and cycling improvements in the area. This latter contribution alone was estimated at £20,000 given the scale and kind of the development proposed. This is predominantly in line with policies DP16, DP17 and DP21. Given that the scheme is considered to be unacceptable in other aspects, this constitutes a further reason for refusal of the application. An informative is however recommended to be added to the decision notice denoting that this reason for refusal could be overcome, in the context of a scheme acceptable in all other respects, by entering into a legal agreement with the Council. This is without prejudice to any future application or appeal at the site.

Had the servicing arrangements been considered appropriate (see above for details) a servicing management plan would have been secured via S106 to protect the safety and operation of the highway network and surrounding area in the future. This is predominantly owing to Camden Road being a busy red route and the nature of the existing/proposed uses at the site. This is predominantly in line with DP21 and DP26 of the LDF. Given that the scheme is considered to be unacceptable in other aspects, this constitutes a further reason for refusal of the application. An informative is however recommended to be added to the decision notice denoting that this reason for refusal could be overcome, in the context of a scheme acceptable in all other respects, by entering into a legal agreement with the Council. This is without prejudice to any future application or appeal at the site.

Other matters

All residential developments involving a net increase of 5 or more units are expected to provide a financial contribution towards education provision in the Borough, as secured via a S106 Legal Agreement. The contribution sought is proportionate to the size of dwellings proposed, and is not sought for single-bed or studio units, as these are unlikely to house children. Based on the current unit numbers and mix, a contribution of £17,070 would be sought. Given that the scheme is considered to be unacceptable in other aspects, this constitutes a further reason for refusal of the application. An informative is however recommended to be added to the decision notice denoting that this reason for refusal could be overcome, in the context of a scheme acceptable in all other respects, by entering into a legal agreement with the Council. This is without prejudice to any future application or appeal at the site.

CPG guidance requires the provision open space 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. Failure to provide a contribution would lead to unacceptable pressures on local outdoor amenity spaces, contrary to policy CS19. Given that the scheme is considered to be unacceptable in other aspects, this constitutes a further reason for refusal of the application. An informative is however recommended to be added to the decision notice denoting that this reason for refusal could be overcome, in the context of a scheme acceptable in all other respects, by entering into a legal agreement with the Council. This is without prejudice to any future application or appeal at the site.

Given the current and previous uses at the site and the nearby context the Council's contaminated land officer has stated that a condition would have been added to any permission seeking further details in this regard prior to the development being implemented. However, owing to the scheme being refused this is not relevant. Given the matter could have been dealt with via condition it will not form a reason for the refusal of the application.

Recommendation: Refuse Planning Permission

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