

Address:	24-28 Warner Street London EC1R 5EX		
Application Number:	2011/5129/P	Officer: Jonathan Markwell	
Ward:	Holborn & Covent Garden		
Date Received:	29/09/2011		
Proposal: Erection of basement and part three, four and five storey building to create 12 self-contained residential (Class C3) units (3x1, 6x2 & 2x3 bed market units & 1x2 bed intermediate affordable housing unit) following demolition of existing two storey warehouse building (Class B8).			
Drawing Numbers: 3621 (P) 001; 002; 003; 004; 005; 006; 010A; 011A; 012C; 013A; 014A; 015A; 016; 020C; 030B; 031A; 032A; 033B; 034A; Letter from Thorne Hiley dated 29/09/2011 Ref Warner_St_planning_app; Design & Access Statement by DLG Architects dated July 2011 Rev B; Letter from Richard Susskind & Company Ref F:\...\STARTUP\Ayhv13.dot /; Archaeological Desk Based Assessment by CGMS Consulting dated February 2011; Code for Sustainable Homes Pre-Assessment by Hilson Moran dated 17/03/2011 Issue 1.0; Energy Strategy by Hilson Moran dated 18/03/2011 Issue 1.0; Daylight and Sunlight Study (Within Development) by Building Surveying Solutions dated 07/04/2011; Daylight and Sunlight Study (Neighbouring Properties) by Building Surveying Solutions dated 07/04/2011; Construction Management Plan by Thorne Hiley; Site Investigation Survey by Soil Environment Services Ltd dated 08/08/2011 Ref SES/TH/WS/1#1; Basement Impact Assessment by LBH Wembley dated 24/11/2011 Ref LBH4006 Ver 1.1.			
RECOMMENDATION SUMMARY: Grant Planning Permission subject to conditions and a Section 106 Legal Agreement			
Related Application Date of Application:	29/09/2011		
Application Number:	2011/5130/C		
Proposal: Demolition of existing two storey warehouse building (Class B8).			
Drawing Numbers: 3621 (P) 001; 002; 003; 004; 005; 006; 010A; 011A; 012C; 013A; 014A; 015A; 016; 020C; 030B; 031A; 032A; 033B; 034A; Construction Management Plan by Thorne Hiley.			
RECOMMENDATION SUMMARY: Grant Conservation Area Consent subject to conditions			
Applicant:		Agent:	
Mr Kevan Woodhouse c/o Agent		Thorne Hiley Limited 10 Furnival Street London EC4A 1YH	

ANALYSIS INFORMATION

Land Use Details:			
	Use	Use Description	Floorspace

	Class	
Existing	<i>B8 Warehousing</i>	<i>440m² (GIA)</i>
Proposed	<i>C3 Dwelling House</i>	<i>991m² (GIA) / 1,102m² (GEA)</i>

Residential Use Details:										
	Residential Type	No. of Habitable Rooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>Flat/Maisonette</i>									
Proposed	<i>Flat/Maisonette</i>	3	7	2						

OFFICERS' REPORT

Reason for Referral to Committee: The proposal constitutes a Major Development which involves the construction of more than ten new residential dwellings [Clause 3(i)]. Furthermore, it also involves the making of a planning obligation under Section 106 of the Town and Country Planning Act 1990 [Clause 3(vi)] in relation to matters outside the scheme of delegation.

1. SITE

1.1 The application site comprises a two storey (with the second floor being small areas of mezzanine level accessed only via ladder) warehouse building located on the south side of Warner Street close to the junction with Eyre Street Hill (to the east) and immediately adjacent to the narrow passageway of Warner Yard (to the west). Further to the west on Warner Street is a viaduct, above which is Rosebery Avenue. Warner Street at this point marks the borough boundary with LB Islington. The site has been in use in the post war period as a timber merchants and remains in active use for such purposes to this day. The site is located within Hatton Garden Conservation Area. The existing building is not identified as being one of local interest. The site is also located within an archaeological priority area, an identified site with potential for contaminated land, a neighbourhood renewal area, a number of strategic viewing corridors, the Central London area and clear zone area. Although within Hatton Garden Conservation Area the site is outside of the designated Hatton Garden area regarding jewellery workshop premises.

1.2 The surrounding area comprises a mix of uses. To the north beyond Warner Street is a four storey building which includes only small windows onto Warner Street (there is no active street frontage) and its main frontage is further to the north on Baker's Yard. To the east is the three storey 30 Warner Street building, which is in use at first and second floor level as the offices of a charitable organisation, beyond which is an off-street parking area on the junction of Warner Street and Eyre Street Hill. To the south is a four storey industrially styled office building (8 Warner Yard)

which has permission for use as a single dwellinghouse (see relevant history below). Further to the south is 5, 6 and 7 Warner Yard, which at this point is part single, part two storey in height. The Warner Yard premises (1-8 Warner Yard), which also occupy two of the six storeys to the west of the site comprise a variety of commercial uses including a printers, graphic designers and photographic services. On the upper four floors of this six storey Peabody mansion block building to the west of the site are the residential properties of Rosebery Square East. Access to these residential flats is from Rosebery Avenue. This building is identified as one of interest in the Hatton Garden Conservation Area Statement. The townscape of the local area is considered to be of mixed quality. Generally the Hatton Garden Conservation Area is characterised by warehouse and semi-industrial buildings. These are of varying ages, styles and types, but are generally robust in character while materials are fairly limited, predominantly brick.

2. THE PROPOSAL

- 2.1 Conservation area consent is sought for the demolition of the existing two storey warehouse building at the site, given the building is unlisted and located within the Hatton Garden Conservation Area.
- 2.2 Planning permission is sought for the erection of a basement and part three, part four and part five storey building which steps away from the nearby Rosebery Avenue building. The building is proposed to create 12 self-contained residential (Class C3) units. In terms of market and affordable units, 11 are proposed for market housing and 1 as an immediate affordable unit. The proposed mix comprises 3x1 bed, 6x2 bed & 2x3 bed units in terms of the market housing and the intermediate affordable unit is proposed to be a ground floor 2 bed unit with separate access from Warner Street. The market housing units will have access to a shared landscaped courtyard area while each flat will also have separate dedicated amenity space in the form of terraces/balconies. The proposed building also includes a shared entrance along Warner Street, a lift, cycle and waste storage, green roofs at various points and photovoltaic panels at roof level.

3. RELEVANT HISTORY

24-28 Warner Street

- 3.1 M16/37/D/12874 - The erection of a timber store building on the sites Nos. 26 and 28, Warner Street, Holborn. Granted 09/01/1950.
- 3.2 M16/37/D/28695 - The erection of an extension by the covering over of the existing timber yard for use as a timber store. Granted 26/09/1979.
- 3.3 8600911 - The erection of an additional roof covering over existing timber yard. Granted 09/07/1986.
- 3.4 2011/1826/P - Erection of basement and part three, four and five storey building in connection with the change of use from light industrial (Class B8) to residential (Class C3) to provide 12 self contained residential units (4 x 1-bed, 5 x 2-bed, 3 x 3-bed) following demolition of existing two storey building. Withdrawn by applicant

on 24/06/2011 prior to a formal decision being made by officers. Officers had raised concerns in relation to primarily affordable housing provision and basement excavation justification matters.

- 3.5 2011/1971/C - Demolition of existing two storey light industrial building (Class B8). Withdrawn by applicant on 24/06/2011 prior to a formal decision being made by officers.

8 Warner Yard

- 3.6 2011/0341/P - Change of use from office accommodation (Class B1) to a dwelling house (Class C3). Granted following completion of S106 Legal Agreement 28/07/2011. Based on an officer site visit on 17/11/2011 it appears that this permission is yet to be implemented.
- 3.7 2011/5254/P - Change of use of the existing office building (Class B1A) to provide 2 x 1bed and 3 x 2Bed self contained flats (Class C3), the use of the 2 x 1Bed maisonette on ground and basement floors used as live/work units, the re-opening of Warner Yard entrance and installation of new automated security gates, the formation of new windows at first and second floor north elevation, and the restoration of existing atrium at second floor elevation, and associated works to the front and rear elevation to residential flats. Current application under consideration by the Council.

4. CONSULTATIONS

Statutory Consultees

- 4.1 London Borough of Islington was formally consulted. No response has been received.
- 4.2 English Heritage does not wish to make any comment on the conservation area consent application and advise that the application is determined in accordance with national and local policy guidance.

Adjoining Occupiers

	Original
<i>Number of letters sent</i>	53
<i>Total number of responses received</i>	2
<i>Number of electronic responses</i>	1
<i>Number in support</i>	0
<i>Number of objections</i>	2

- 4.3 A site notice was erected on 19/10/2011, expiring on 09/11/2011. A press notice was published on 27/10/2011, expiring on 17/11/2011. A total of two objections were received. One objection was received from an occupier of 52e Rosebery Avenue, on the basis of 'design and layout, loss of daylight sunlight and privacy, noise nuisance, traffic and parking stress, increase in a particular type of use of land'. The other objection was received by an unspecified resident within the

residential flats at Rosebery Square East. This objection is on the basis of a loss of daylight, sunlight and privacy to occupiers of Rosebery Square East owing to the height of the proposed building. It is also considered that the proposal would lead to an increase in noise and traffic to occupiers who are “primary services workers: teachers, nurses, firemen and social workers”, leading to a negative “impact on our physical and psychological wellbeing”. It is also noted that “We would like to present you with a petition opposing the proposed development, signed by all residents of our block of flats”. However this petition has not been received by officers.

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
CS9	Achieving a successful Central London
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
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
DP5	Homes of different sizes
DP6	Lifetime homes and wheelchair homes
DP13	Employment sites and premises
DP16	The 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
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
DP27	Basements and lightwells
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

5.2 **Supplementary Planning Policies**
Camden Planning Guidance 2011
Hatton Garden Conservation Area Statement

6. **ASSESSMENT**

6.1 The principal considerations material to the determination of these applications are summarised as follows:

- Land use – principle of development
- Land use – affordable housing
- Quality of residential accommodation
- Design
- Amenity
- Basement excavation
- Transport
- Sustainability
- Trees and landscaping
- Other matters – waste and recycling / archaeology / contaminated land
- Other S106 contributions

Land use – principle of development

- 6.2 The existing timber merchants is still in active use but the applicant has provided commentary denoting that demand and sales have decreased in recent years, making the business unviable. Furthermore the joint applicants and owners of the building are the sole two employees at the premises, which has been in family ownership since 1970. The applicants/owners have commented that builders/carpenters and associated trades have moved out from the area owing to property costs/rents (examples of Bowman Weaver Walker the glasses wholesale merchant who ceased trading 9 years ago and Warner Street Motors relocating to King's Cross). Furthermore customers are said to generally prefer more accessible and large scale locations where prices are cheaper than those possible at the application site, which is not in a primary location and thus does not generally benefit from passing trade.
- 6.3 In addition commentary from local agents Richard Susskind and Company suggests there is little demand for Class B8 uses in the area and the location is not attractive to occupiers owing to the requirement for more modern, larger, better quality spaces in locations convenient for their client base and optimising transport costs. Furthermore in terms of the existing space it is commented that "I would not be positive about our (or any other agent) ability to successfully identify a tenant as a B8 unit, especially given its current condition and convoluted layout".
- 6.4 Officers have considered the information provided by the applicant and also visited the site to appreciate first hand the existing situation. Policy CS8 seeks to ensure the borough retains a strong economy by, amongst other things, safeguarding existing employment sites that meet the needs of modern industry and employers.

Policy DP13 goes into more detail, with the Council seeking to retain land and buildings that are suitable for continued business use and will resist a change to a non-business use unless the site is demonstrated to be no longer suitable for the existing or alternative business uses. If it is shown that the site would only be suitable for a B1(a) offices business use the Council may allow change to permanent residential uses.

- 6.5 It is considered that although the loss of a trading timber merchants in the borough is regrettable, it is accepted that the premises are no longer suitable for the existing use and it would not be financially viable to redevelop the building for alternative business uses such as light industrial purposes. The information provided by the applicant satisfactorily demonstrates the difficulties the applicants have to maintain the current business. Turning to providing alternative business uses at the premises, this is not considered to be feasible or viable owing to the nature of the existing building, which is tired and essentially just a shell of a building. For the building to be made usable even as basic quality workshop space the rear wall and the roof (which appears to consist partly of asbestos sheets) would need to be replaced, a new first floor and internal staircase created (replacing the ladder and the existing mezzanine floor) and new sanitary services provided. Thus it is considered very unlikely that the cost of even a basic fit out could be recovered from rents that could be realistically secured from small businesses looking for affordable refurbished office, studio or workshop space locally. Given this context it is considered that parts a) and b) of policy DP13 are met.
- 6.6 The other primary principle of development consideration is with regard to the demolition of the existing building from a conservation perspective. Given the building is unlisted within the Hatton Garden Conservation Area, conservation area consent is required for its demolition. The existing industrial style two-storey building in yellow brick also includes a corrugated metal side extension. It is not identified in the Hatton Garden Conservation Area Statement as a positive contributor and is considered to be of no particular architectural or other merit. Therefore the demolition of the building is not considered to cause substantial harm to the conservation area and does not need to address the tests of HE9.2 of PPS5. Thus given the appearance of the building there is no objection in principle to its demolition, provided that a suitable replacement building can be agreed. Conservation area consent is therefore considered to be able to be supported, subject to the standard conditions including that demolition shall not take place until a contract is in place for the replacement building (which has full planning permission) to protect visual amenity.
- 6.7 Given the principle of the loss of the building from a land use and conservation perspective have been established the proposed use can now be considered. As DP13 notes the Council may allow permanent residential uses at sites only possibly suitable for a B1(a) office business use. As outlined above, the site is not considered to be suitable for other B1, B2 or B8 uses and hence a residential use at the site can be considered. Moreover, housing is regarded as the priority land-use of the LDF, as outlined by policies CS6 and DP2, and seeks to maximise the supply of additional homes in the borough. The proposals are also in compliance with CS9, which seeks to achieve a successful Central London by being a focus for

a range of uses, including residential accommodation as proposed. Thus it is considered that the principle of development at the site can be established.

Land use – affordable housing

- 6.8 Policy DP3 provides a clear rationale for seeking affordable housing in schemes of 10 or more additional dwellings or 1000sqm of floorspace (Gross External Area - GEA). The proposals incorporate the provision of 12 residential units and a GEA of the 1,102sqm. As such a 12% affordable housing, equating to 132sqm of floorspace, is sought for the proposal to be policy compliant.
- 6.9 Following extensive negotiations with the applicant one x two-bed intermediate affordable housing unit is proposed on site at ground floor level. The applicant has explored the possibility of the unit being social rented housing, but feedback from registered providers denotes that there is no interest in a single unit of social rented housing in this instance. However, two registered providers (Origin Housing and A2 Dominion) have indicated that they would be interested in the one x two-bed unit shown at ground floor level on an intermediate basis, with the intention for this to fit into the shared-ownership housing tenure. The intermediate unit proposed is completely independent from the rest of the units and thus will not be susceptible to the servicing and management costs of the other units. It is considered that the provision of an intermediate unit on site is welcomed in principle.
- 6.10 The unit to be secured as intermediate housing does not meet in full the on-site floorspace requirement for affordable housing. The applicant has explored providing a second intermediate unit on site but owing to the need to ensure this is independent from the market housing and the limited street frontage along Warner Street it is accepted that it is not practical to provide more than a single intermediate unit on site. As such the applicant has considered off-site provision but this is not possible owing to the applicants not being landowners apart from this site and there being no known off-site options in the local vicinity. Again officers accept that it is not possible in this instance to provide off-site affordable housing provision owing to these factors.
- 6.11 Given this context the applicant has agreed, following discussions with officers, to seek to make up for the shortfall in on-site affordable housing provision by making a financial payment-in-lieu to the Council's affordable housing fund. Using the CPG2 and CPG8 guidance the 50sqm GEA shortfall in on-site provision equates to a payment-in-lieu of £132,500. This financial contribution and the two-bed on site unit will both be secured via S106 Legal Agreement. The combination of on-site provision and payment-in-lieu to be secured are together considered to make a satisfactory contribution to affordable housing, compliant with the aims of DP3.

Quality of residential accommodation

- 6.12 In terms of the market housing element of the proposal 11 units are sought, comprising a mix of 3x1 bed, 6x2 bed and 2x3 bedroom self-contained flats. The proposed mix is considered to be appropriate, providing a clear mix of small and large units which are likely to attract a variety of household types. In line with the dwelling size priority table outlined in DP5 well over 40% of the proposed units are

2 bed flats, aligning with the highest priority for market housing. Hence the mix is welcomed and is an indication of the scheme contributing to the creation of mixed and inclusive communities. With regard to the on-site intermediate affordable unit, the two-bed unit corresponds with a high priority identified in DP5 and is consequently considered appropriate.

- 6.13 Turning to quality matters, as outlined by policy DP26h-k, the 11 market units are considered to provide a high standard of accommodation for future occupiers. Each unit is entirely self-contained and the size of each unit (in terms of overall flat and bedroom sizes) meets the CPG4 and London Plan standards, barring some small shortfalls (such as units 4 and 7 being 2sqm and Unit 10 being 8sqm below the 50sqm overall flat size requirement of the London Plan for 1 bed, 2 person units). These shortfalls are considered to be of a minimal nature and would not significantly compromise the overall quality of accommodation for future occupiers.
- 6.14 Moreover each market unit is regular in shape, has a floor to ceiling height of over 2.3m (typically 2.75m), includes dedicated storage spaces and rarely for schemes of this size and nature provides both private outdoor amenity space (in the form of balconies / terraces) and communal amenity space (ground level landscaped courtyard). Furthermore vertical stacking has been used wherever possible (for example the first and second floors are identical in layout) and each habitable room has access to natural daylight and outlook. Owing to the constrained size and shape of the site it has not been possible for every unit to include one habitable room with a window facing within 30 degrees of south, to assist with solar gain, (units 2, 5 and 8 are north facing). However the vast majority of units will achieve this requirement.
- 6.15 It is also acknowledged that bedrooms are shown to be proposed at basement floor level for the two basement and ground floor maisonettes (units 1 and 3). However lightwells are proposed at these points to provide access to an adequate level of natural light and a means of escape. In addition the applicant has provided a daylight and sunlight study of the future units and this concludes that the proposal will be satisfactory in this regard. Officers consider that the information provided is suitable to demonstrate that an adequate level of accommodation will be provided for these future occupiers in this regard.
- 6.16 With regard to the residential amenity of future occupiers in terms of overlooking / privacy, the scheme has been carefully designed to minimise as far as possible these implications from neighbouring buildings such as the approved (but unimplemented – see paragraph 3.6) 8 Warner Yard and Rosebery Square East residential flats. In terms of overlooking/privacy between units within the site, it is acknowledged that the layout of windows / balconies / terraces on the rear part of the site will lead to some possible overlooking/loss of privacy between future occupiers. However this would typically be at angles and on balance is considered to be satisfactory. There are also other factors to consider, such as the windows / balconies / terraces providing natural surveillance to the communal landscaped courtyard in order to improve community safety and crime prevention at this point. Therefore in overall terms it is considered that the quality of accommodation for future occupiers will be satisfactory and there will not be a significant loss of amenity for future occupiers.

- 6.17 In terms of access matters the applicant has submitted commentary within the Design and Assess Statement as to the measures to be introduced to accord with lifetime homes standards. In particular the applicant has shown that two units (units 6 and 9) will be suitable for wheelchair users, with the provision of a lift and all other applicable standards being complied with in the design of the scheme. In overall terms it is considered that the applicant has clearly shown the various means in which the units will accord with lifetime homes standards and this is welcomed. A condition is recommended to ensure the measures shown are complied with when the scheme is implemented.
- 6.18 The Crime Prevention Design Advisor has been involved in discussions with the applicant about achieving Secured via Design standards. It is considered that the applicant has demonstrated how the proposals have been advanced with this in mind. For example the rear courtyard is only accessed through the building and the surrounding walls will ensure security, with this assisted by the upper floor windows / balconies / terraces. The Warner Street balconies will be a minimum of 3m above ground level to reduce illegal entry into flats and there will also be a video entry system to the building. Such measures are welcomed and the scheme is considered to comply with CS17.
- 6.19 In relation to exclusively the intermediate affordable unit, the internal layout of the unit is considered to be satisfactory. All habitable rooms have sufficient outlook, access to natural light and scope for natural ventilation. There is also sufficient space internally for storage and the ground floor location allows step free access into the building. It is not possible to provide any amenity space for this unit owing to the on-site constraints, but in overall terms it is considered that future occupiers of this unit will benefit from a good standard of accommodation.

Design

- 6.20 As outline in the principle of development section above there is no objection raised to the demolition of the existing building.
- 6.21 Turning to the proposed building, the design approach has evolved from initial pre-application discussions with the applicant, through more detailed matters considered and revised during the course of the previously withdrawn scheme and the now proposed scheme. The proposed building ranges between three and five storeys and is stepped away from the large Peabody mansion block adjacent, in order to allow light into the rear windows of that building. It proposes a simple façade treatment to the front, with large window openings to the street, and alternately spaced balconies.
- 6.22 In terms of the overall height and scale the proposed building is considered to sit comfortably in the surroundings as Warner Street is characterised by generally taller, robust buildings. Large glazed openings are proposed on the front elevation, which are considered appropriate given the industrial nature of the conservation area.

- 6.23 Part of the front and side elevation are proposed to be clad in timber, in reference to the current use of the site. The remainder of the front elevation would be constructed in brick. The amount of timber has been reduced in scale from the previously withdrawn application to cover only approximately 25% of the front façade. Timber is therefore now a far more subservient material and it is considered that the overall building will read as being constructed from brick in views from the front. Moreover the timber is also considered to be appropriate in breaking up the façade into two elements by accentuating the square brick element.
- 6.24 It is also noted that balconies are proposed on the front (Warner Street) and rear elevations of the building. It is acknowledged that balconies are not a typical feature within the conservation area; however amenity space provision is encouraged within new residential developments where appropriate. Moreover the building is located on a quiet street with limited pedestrian or traffic movement, meaning balconies can assist in providing enhanced passive surveillance. With these factors in mind it is considered that from a design perspective balconies are therefore considered appropriate. The front elevation balconies are small in size (1.7m in width and 0.8m in depth) and therefore will not appear as obtrusive additions; instead they are considered to relate satisfactorily with the building.
- 6.25 In order to provide a building of suitable quality in this part of the conservation area (to fit with the general quality of buildings in the area) the applicant has proposed to include a projecting frame around each bay of windows. This feature is considered to provide a subtle level of ornamentation to the façade which acknowledges the historic buildings in the surrounding area. It also works by giving greater interest and texture to the façade, thereby enlivening its appearance. Also on the front elevation the two ground floor entrances (one for the private housing and one for the affordable unit) are of a single composition which relate satisfactorily to the proposed upper floors.
- 6.26 Turning to the rear elevation, this is south facing and large windows / balconies are proposed to focus on the communal courtyard for the market housing units. The rear elevation is considered to be suitable simple in its form, with the U-shaped plan forming what is considered to be a welcome area of open space in an otherwise tightly-knit urban environment. This elevation is predominantly render finished which should maximise light in the proposed lightwells and is considered appropriate in design terms.
- 6.27 In addition, the overall scale of the building at the rear is considered appropriate to the context when seen in relation with buildings around Warner Yard, Vine Hill and Rosebery Avenue. The U-shape form which steps down to No. 8 Warner Yard is considered to have been carefully massed to avoid an overbearing or dominating form. Finally it is noted that 22 photovoltaic panels are proposed at roof level. These have all being located away from the edges of the building, are 0.4m in height and project at a 10 degree angle. As such from street level the visual prominence of the panels will be limited and no harm to the character and appearance of the conservation area is envisaged.

- 6.28 Therefore in overall terms the proposal is considered to enhance the character and appearance of the conservation at this point. Conditions in relation to detailed design matters are recommended in order to ensure the quality of the finished building is appropriate to the site location. This includes details of all facing materials, the proposed balconies and front window reveals.

Amenity

- 6.29 The proposed design of the scheme has been heavily influenced by the proximity to neighbouring buildings and the need to maintain the residential amenity of neighbouring occupiers within the residential flats on the upper four floors of the Peabody mansion block, which fronts onto Rosebery Avenue. As such the development steps up from three to four and then five storeys as it moves away from this neighbouring building.
- 6.30 In terms of overlooking and privacy, the only windows shown on the proposed west elevation (facing Rosebery Avenue) are denoted as a 'glass block/plank' by the applicant; a condition is recommended to be added to ensure that this window is obscure glazed to overcome any possible overlooking at this point. Given the stepped approach of the design it does lead to flat roof areas at these upper floor points. Terraces are not proposed at these points (areas of green roof are) and a condition is recommended to ensure that they are not used as terraces in the future and any access to these areas are for maintenance purposes only. This will again seek to protect the residential amenity of neighbouring occupiers. In relation to No. 8 Warner Yard it is acknowledged that the windows and balconies to the rear of the building will provide some opportunities for overlooking to this building, which has extant permission for use as a single dwellinghouse and there is a current application for five residential units and a live work unit (see relevant history section). However any overlooking would be at an angle given the orientation of the proposed windows / balconies. This mitigates to a degree the amount of overlooking and hence the harm to residential amenity. It is not considered that the proposal would lead to a significant loss of privacy at this point.
- 6.31 Turning to outlook / sense of enclosure matters the western most elevation of the proposed building (closest to the Peabody mansion block) will be 0.8m higher than existing (existing 8.2m / proposed 9m) and no further away from the neighbouring building than existing (3.4m – the width of the Warner Yard access point). The proposed building is then set in a further 3m as it rises to a fourth storey (incorporating a 2.75m increase in height) and is then set in a further 4m as it rises to the fifth storey (with another 2.75m increase in height). Given this context it is not considered that the proposal, owing to the careful set backs proposed, would significantly exacerbate the existing outlook or create a harmful sense of enclosure to residential occupiers of the Peabody mansion block. There are similar set backs for the Warner Yard buildings to ensure outlook matters are not significant for these occupiers either.
- 6.32 Moving on to sunlight and daylight considerations the applicant has submitted a comprehensive study in respect of these matters. This takes account of the windows in all facing elevations towards the application site comprising those

associated with the Peabody mansion block, 5&6 and 8 Warner Yard, 31, 33, 35 and 37 Eyre Street Hill, 11 Warner Street and 5&6 Baker's Yard.

- 6.33 In terms of daylight the study has compiled average daylight factor (ADF) and the vertical sky component (VSC) measurements, consistent with the guidance set out in CPG6 Ch6. Furthermore a No-Sky Line (NSL) measurement has also been made. In terms of the ADF it is noted that a number of existing windows receive low levels of daylight as existing; the proposal will not result in a significant loss compared with existing in any window. Turning to the VSC there are again numerous windows which already fail to meet the 27% target owing to the existing tightly knit urban environment surrounding the site, such as at 5&6 Warner Yard and the Peabody mansion block. Where existing levels are already low the impact of the proposed scheme will not lead to a reduction below 80% of the existing value, consistent with the established guidance. For windows which meet the existing 27% target again any reduction is measured to be limited and the ratio between existing and proposed does not at any point fall below 80%. Therefore in terms of daylight matters it has been sufficiently demonstrated that the proposed development will maintain daylight to all adjoining windows. In relation to sunlight considerations only windows which face within 90 degrees of south have been assessed. The study demonstrates sufficiently that sunlight, where required, will be maintained. Accordingly no significant loss of amenity as a result of loss of sunlight is envisaged.
- 6.34 In terms of noise and disturbance matters, the proposed terrace areas are all fairly limited in size and therefore are of a scale where it they would be unlikely to cause undue noise and disturbance to neighbouring occupiers. Where substantial areas of flat roof are proposed this is shown as green roof and a condition will ensure this rather than it being used as a roof terrace in the future.
- 6.35 Consideration of the amenity of future occupiers of the proposed units has already been outlined in the quality of residential accommodation section above. In short future occupiers are considered to have a suitable standard of residential amenity.

Basement excavation

- 6.36 The proposal incorporates two areas of basement accommodation to serve residential maisonette units 1 and 3. The depth of the excavation is restricted to 2.75m to provide a single storey of basement excavation creating a total of 107sqm (GIA) of accommodation. The application site is located within an area identified within the Arups study (reproduced in CPG4) as being susceptible to slope (in) stability and subterranean (groundwater) flow. As such, in accordance with DP27 the applicant has submitted information in respect of justifying this element of the proposals. During the course of the application a Basement Impact Assessment (BIA) has been submitted, carried out by a suitably qualified professional, which details stages 1-4 of the BIA process outlined in CPG4. This supplements initial studies undertaken, which included on site borehole investigations undertaken in July 2011, with further monitoring in November 2011.
- 6.37 The information submitted shows that the site is located on superficial soils which are designated as a secondary A aquifer by the British Geological Association,

owing to the historical underground route of the River Fleet running 20m to the south of the site. Given this identified constraint, which is acknowledged could impact groundwater flow and land stability, further work has been undertaken. In addition the other major consideration is that the proposed works will result in a differential depth of foundations with the neighbouring property at 30 Warner Street, which is acknowledged could also affect land stability.

- 6.38 The borehole investigations undertaken show that beneath the 0.2m of concrete associated with the existing building is 3.4m – 4m of made ground and then firm to stiff silty clay down to the measured 6m depth, noted elsewhere as ‘natural soils’. The groundwater conditions on the basis of the boreholes demonstrated some small seepage, but only at a level well below the proposed 2.75m depth of the proposed basement. Given that the potential underlying aquifer was not encountered during investigations in all corners of the site it is considered that the basement will not extend down as far as the aquifer. As such this mitigates the potential impact of the proposed basement on watercourses and it is not considered that any specific drainage mitigation measures are required.
- 6.39 In terms of the impact on neighbouring buildings it is acknowledged that the proposed works could impact on neighbouring buildings in the future, although this is considered unlikely at the present point in time. It is nevertheless noted that underpinning of neighbouring buildings (identified by the applicant as No. 30 Warner Street and No. 8 Warner Yard) may be required. As such it is recommended that a condition is added to the permission to ensure a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to supervise the construction works throughout their duration. This would seek to protect the structural stability of both the proposed host building and neighbouring buildings. In overall terms it is considered that sufficient information has been submitted to illustrate that the scheme is unlikely to neither cause harm to the built and natural environment and local amenity nor result in flooding or ground instability.

Transport

- 6.40 A number of transport related elements of the proposals will be secured via S106 Legal Agreement. First given the location of the site (within a CPZ with a ratio of parking permits to spaces of 1.17:1) the proposal is to be made car-free. Secondly a Construction Management Plan (CMP) will also be secured via S106. An initial CMP has been submitted with the proposal, which although acceptable in principle will need to be updated and revised at a later date to provide more details such as the proposed on-site vehicle access points, swept path analysis for vehicles entering and exiting the site and details of the extent of the hoarding being considered around the building during construction. Thirdly a highways works contribution of £6,865 is also to be secured. This is in respect of removing the two (redundant as a result of the proposal) crossovers, reinstating the footway and repaving the footway adjacent to the site on Warner Street. Given LB Islington maintain Warner Street (as the site is on the borough boundary) LB Camden will secure these works and it is likely that LB Islington will carry them out.

- 6.41 The provision of cycle parking within the external courtyard to the rear of the site is welcomed. The provision of 12 spaces, as shown, is welcomed and will be secured via condition. One final matter is the proposed balconies oversailing the public highway (footway). A licence will be required for this and will be subject to a separate application made outside of planning legislation. An informative is recommended to be added in this regard.

Sustainability

- 6.42 The applicant has submitted a Code for Sustainable Homes (CfSH) pre-assessment which demonstrates that the proposed units are likely to achieve an overall Level 3 good rating, as required in CPG3. Furthermore the targeted (50%) credits in the energy, water and materials categories are all anticipated to be met with 53% in energy, 67% in water and 50% in materials. This is considered to meet the required policies and the CfSH design stage and post-construction review will be secured via the S106 Legal Agreement to ensure the required standards are met when the scheme is more fully designed and implemented.
- 6.43 Owing to the scale of the proposed development an energy statement has also been submitted by the applicant. A variety of measures are proposed by the applicant to demonstrate how carbon dioxide emissions will be reduced in line with the energy hierarchy. The measures proposed include the 22 photovoltaic panels at roof level, the green roofs at third, fourth and roof level, the energy credits secured in the CfSH assessment, the triple glazing to all vision glass, the u values and air permeability features, the provision of 100% low energy lighting, lighting presences detection controls and low water use taps/showers to reduce use/demand for hot water. The applicant has considered the feasibility of the various renewable energy technologies and concluded that only photovoltaics will be appropriate in this scheme. In overall terms there is anticipated to be a 16% reduction in regulated carbon dioxide emissions (below the 2010 building regulations target of 25%) and 9% in overall savings. Although these are below the recommended targets in this instance it is considered that the applicant has provided sufficiently detailed commentary in this regard and in overall terms it is considered to be appropriate, with the S106 securing all of the measures which are proposed by the applicant.

Trees and landscaping

- 6.44 The proposals include a shared landscaped area to the rear of the site, which is shown on the plans to include a variety of planting. Similarly landscaping is also proposed on the ground floor Warner Street frontage adjacent to the intermediate affordable housing entrance. No specific details as to the hard and soft landscaping have been provided to date and, although welcomed in principle, it is recommended that conditions are added to seek further details of the proposed planting at these points. Similarly further details of the proposed green roof areas are to be secured via condition.

Other matters

Waste and recycling

- 6.45 The proposals include a dedicated area for the storage and collection of waste and recyclables at the front of the building. The applicant has also stated that each flat will have internal recycling storage containers. Based on the plans submitted the size and type of bins is not explicitly noted and thus in order to ensure that sufficient space is provided for both recycling and residual waste a condition is recommended to secure further fuller details in this respect.

Archaeology

- 6.46 As noted in paragraph 1.1 the application site is located within an archaeological priority area. The applicant has submitted a detailed desk based report which states that the site has a low to moderate archaeological potential for remains of the Iron Age/Roman period through to the post-medieval period. English Heritage's Greater London Archaeological Advisory Service has been formally consulted on the application and note that archaeological deposits from the Iron Age, Roman and later periods have been recovered from the immediate vicinity. It is however considered that perhaps the highest potential here would relate to farming and industrial activity associated with the nearby medieval priory of St John, and with the 17th and 18th century urban expansion into the Mount Pleasant area. Map evidence shows that the site location was developed by the early 1700s. Although it is not considered that any further work is required to be undertaken by the applicant prior to the determination of the application, it is recommended that a condition is added for a programme of archaeological work to take place prior to development commencing as the development may damage heritage assets of archaeological interest.

Contaminated land

- 6.47 As noted in paragraph 1.1 the application site is located on land identified as potentially including contaminated land. The contaminated land officer has advised that owing to the timber yard use of the site a condition is required for a programme of ground investigation for the presence of soil and groundwater contamination and landfill gas to be submitted to the Council. Any remediation works and a verification report will also be required in this respect and is also to be secured via condition.

Other S106 contributions

- 6.48 In addition to those matters already outlined, S106 contributions will also be sought in relation to education and public open space given the proposals includes more than five residential units. Using CPG calculations the open space contribution equates to £16,213 and education infrastructure £25,922. The applicant has indicated a willingness to make these contributions.
- 6.49 In addition owing to the size of the development and the resultant loss of an existing employment use, officers have sought and the applicant has agreed to enter into obligations to assist with business growth and employment opportunities. This comprises three elements:

a) agreement to work with the King's Cross Construction Skills Centre to provide employment opportunities to Camden residents during the construction of the

development and specifically to ensure that 15% of employees are recruited from Camden's resident population;

b) to employ one construction industry apprentice recruited via the Kings Cross Construction Skills Centre, the apprentice to be provided with 52 weeks employment, paid at the National Minimum Wage or above and provided with appropriate day release;

c) to work with the Council's economic development team to provide opportunities to local businesses to tender for the supply of goods and serviced during the construction of the development.

7. CONCLUSION

7.1 The demolition of the existing building and loss of the existing Class B8 use has been satisfactorily justified and therefore no objection is raised to the conservation area consent application. Turning to the proposed development it is considered that the scheme has been carefully designed in order to align with the character of the surrounding area while protecting the amenity of neighbouring occupiers. Moreover the scheme will provide 11 market housing units of a suitable mix and quality, while also incorporating one on-site intermediate affordable unit which two registered providers have already indicated an interest in. Furthermore the proposals incorporate sustainability features and a number of other matters will be secured via condition and S106 Legal Agreement.

7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Car-free housing;
- One intermediate affordable housing unit to be secured on site as shown;
- An affordable housing payment in lieu financial contribution of £132,500
- Highways works contribution of £6,865;
- Education contribution of £25,922;
- Public open space of £16,213;
- Construction Management Plan
- Sustainability Plan (CfSH design stage and post construction review achieving level 3);
- Energy Plan;
- Local employment / training and procurement

8. LEGAL COMMENTS

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