

<b>Address:</b>	<b>Twyman House</b> <b>31 - 39 Camden Road</b> <b>London</b> <b>NW1 9LR</b>	
<b>Application Number:</b>	2011/2072/P	<b>Officer: Conor McDonagh</b>
<b>Ward:</b>	Camden Town with Primrose Hill	
<b>Date Received:</b>	05/05/2011	
<b>Proposal: Redevelopment of the site with the erection of a part 4/7/8 storey building, including lower ground level, comprising 54 residential units (Use Class C3) (16 x one bed, 20 x two bed, 15 x three bed and 3 x four bed), 96 sq.m of either retail/professional &amp; financial services/cafe (Use Classes A1/A2/A3) at part lower ground floor level fronting canal and 111 sq.m of retail/cafe use at part ground floor level fronting Camden Road, with associated hard and soft landscaping, cycle storage and 3 x disabled car parking bays off Bonny Street, following the conversion of Pulse House and demolition of Twyman House.</b>		
<b>Drawing Numbers:</b> P_00_G100_001A Location Plan; P_00_JA12_001A; P_00_JA12_002A; 7780/02A; 7780/03C; 7780/04B; 7780/05; 7780/06; 7780/07; 7780/08; 7780/10; 7780/11; 7780/09; E_S_JA12_001A; E_E_JA12_001A; E_S_JA12_002A; E_E_JA12_002A.  P_LG_G200_001B; P_00_G200_001B; P_01_G200_001C; P_02_G200_001B; P_03_G200_001A; P_04_G200_001A; P_05_G200_001B; P_06_G200_001B; P_RF_G200_001B; P_LG_G200_002B; P_00_G200_002C; P_01_G200_002C; P_02_G200_002B; P_03_G200_002A; P_04_G200_002A; P_05_G200_002B; P_06_G200_002B; P_RF_G200_002B; P_LG_G200_003B; P_00_G200_003C; P_01_G200_003C; P_02_G200_003B; P_03_G200_003A; P_04_G200_003A; P_05_G200_003B; P_06_G200_003B; P_RF_G200_003B; E_N_G200_001B; E_NE_G200_001C; E_S_G200_001C; E_E_G200_001B; E_W_G200_001B; E_N_G200_003B; E_NE_G200_003C; E_S_G200_003C; E_E_G200_003B; E_W_G200_003B; D_AL_G250_001A; D_AL_G250_002A; BD_E_AL_G200_001B; S_AA_G200_001A; S_BB_G200_001A; S_CC_G200_001A; S_DD_G200_001A; S_AA_G200_002A; S_BB_G200_002A; S_CC_G200_002A; S_DD_G200_002A; S_AA_G200_003A; S_BB_G200_003A; S_CC_G200_003A; S_DD_G200_003A; BC_P_00_D811_001A; BB_P_01_D811_002C; BC_P_01_D811_001C; BC_P_01_D811_002B.		
Design and Access Statement 30 August 2011; Construction Management Plan; Structural Concept Report & Desktop Study; Energy Strategy; Code for Sustainable Homes Pre-Assessment; Statement of Community Involvement; Transport Statement; Archaeological Study; Acoustic Report; Daylight / Sunlight Report; Internal Daylight and Overshadowing Report dated 25 August 2011; Air Quality Assessment; Arboriculture Report; Ecology Report; Code for Sustainable Homes Ecology Report; Landscape Report; Townscape Document; Lifetime Homes Schedule 2010; Flood Risk letter; Sustainability Statement dated June 2011. (All dated April 2011 unless otherwise specified).		
<b>RECOMMENDATION SUMMARY: Grant subject S106 Legal Agreement</b>		
<b>Related Application?</b>	Yes	

<b>Date of Application:</b>	23/06/2011
<b>Application Number:</b>	<b>2011/2073/C</b>
<b>Proposal: Demolition of Twyman House in connection with the redevelopment of the site (described above).</b>	
<b>Drawing numbers:</b> P_00_G100_001A Location Plan; P_00_JA12_001A; P_00_JA12_002A; 7780/02A; 7780/03C; 7780/04B; 7780/05; 7780/06; 7780/07; 7780/08; 7780/10; 7780/11; 7780/09; E_S_JA12_001A; E_E_JA12_001A; E_S_JA12_002A; E_E_JA12_002A.	
<b>RECOMMENDATION SUMMARY: Grant Conservation Area Consent</b>	
<b>Applicant:</b>	<b>Agent:</b>
CIT Developments Ltd c/o Agent	Montagu Evans LLP Clarges House 6-12 Clarges Street Mayfair W1J 8HB

## ANALYSIS INFORMATION

<b>Land Use Details:</b>			
	Use Class	Use Description	Floorspace (GIA)
Existing	B1a	Office	2,666m <sup>2</sup>
Proposed	C3	Market housing	4,391m <sup>2</sup>
Proposed	C3	Social rented housing	765m <sup>2</sup>
Proposed	C3	Shared ownership housing	510m <sup>2</sup>
Proposed	A1/A2/A3	Retail/professional & financial services/cafe	207m <sup>2</sup>

<b>Residential Use Details:</b>										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	Total	
Proposed market	Flat	9	18	14	-	-	-	-	-	<b>41</b>
Proposed social rent	Flat	1	2	-	3	-	-	-	-	<b>6</b>
Proposed shared ownership	Flat	6	-	1	-	-	-	-	-	<b>7</b>

<b>Parking Details:</b>			
	General parking	Disabled parking	Cycle parking
Existing	Unknown	0	Unknown
Proposed	0	3	60

## OFFICERS' REPORT

**Reason for Referral to Committee:** The proposal is a major development involving the construction of ten or more new residential units [Clause 3(i)]. Furthermore it will involve the completion of a section 106 legal agreement [Clause 3(vi)] in relation to obligations outside the scheme of delegation.

Members are advised that the Council are required to determine 'Major Developments' within 13 weeks. The 13 week statutory deadline for determination of this application is 22 September 2011.

### 1. SITE

- 1.1 The irregularly shaped application site occupies an area of approximately 0.35 hectares and is located immediately north of the Regent's Canal at its junction with Camden Road, and has two main frontages, one on the canal towpath and one facing Camden Road. The site has two pedestrian accesses on its northern boundary to Bonny Street. The site is currently occupied by a number of commercial buildings which date back to the 1950s and 1960s, the largest being Twyman House which is six storeys and fronts Camden Road on the site's eastern boundary. An open delivery yard/parking area associated with Twyman House occupies the centre of the site and approximately a third of the canal frontage abutting the applicant site. The site forms part of the Regent's Canal Conservation Area.
- 1.2 A mix of land uses and buildings of varying heights and periods surround the site which include the 7-storey Shirley House just south of the site across the canal, occupied by the British Transport Police, and a 7-storey residential building, known as Highstone Mansions (located in the Camden Broadway Conservation Area), just east on the opposite side of Camden Road. Abutting the north boundary of the application site is a nineteenth century terrace of houses including 2-8 Bonny Street, which is a grade II listed terrace of four 3-storey dwellings and located in the Jeffrey's Street Conservation Area. Directly opposite this terrace is the Camden Road Station building, which is also grade II listed. A three storey terrace (12-14a Bonny Street) also backs onto the site. These residential properties have rights of vehicular access along their rear to allow access to lower ground integral garages.
- 1.3 The A503 Camden Road forms part of the Transport for London Road Network (TLRN) and the nearest section of Strategic Road Network (SRN) is the A400 Camden Street, located approximately 35 metres south of the site. The site has a public transport accessibility level (PTAL) of 6a (on a scale where 1 is low and 6a is high). The closest London Underground Station is Camden Town (on the Northern line) located approximately 300 metres south of the site. Camden Road train station is located a short distance to the north, providing London Overground services between Stratford, Highbury & Islington and Richmond. There are a total of nine bus routes within walking distance of the site, providing services between Victoria, Waterloo and Hackney.

## 2. THE PROPOSAL

- 2.1 The proposal is to demolish the existing 6 storey (including basement) Twyman House and redevelop the site to provide a residential led mixed use development including 54 residential flats and 207sqm of flexible retail/professional & financial services/cafe within 3 new Blocks A, B and C. Pulse House (Block D) shall be retained, refurbished and converted into residential.

### Block A

- 2.2 This is a new 4 storey block located directly south of Pulse, adjoining existing warehouse at 146 Camden Street immediately to the west, and fronting onto the canal towpath. This block would contain 10 market flats (7 x 2-bed and 3 x 3-bed) to be accessed through a communal entrance at lower ground level facing the courtyard.

### Block B

- 2.3 At 8 storeys this would be the tallest element of the proposal, located on the south-eastern corner of the site with two frontages, Camden Road and the canal. It would be this block that would comprise all 207sqm of flexible commercial space comprising a 178sqm duplex unit at lower ground and ground level, and a 29sqm single ground floor unit. This would present an active frontage onto Camden Road with the corner unit having internal lift and stair to provide access onto the towpath elevation which will also be active. This block also contains 27 market units (9 x 1-bed, 9 x 2-bed and 9 x 3-bed) that would have a foyer communal access from Camden Road and a secondary access to the rear courtyard. The refuse store for all market units and commercial uses would be located in Block B's lower ground level.

### Block C

- 2.4 This block would be 7 storeys and front Camden Road adjoining Block B and 41-45 Camden Road immediately to the north. This block would contain all the affordable housing, with the social rent at ground, first and second floors (1 x 1-bed, 2 x 2-bed and 3 x 4-bed), shared ownership at third and fourth floors (6 x 1-bed and 1 x 3-bed). The fifth floor would be occupied by 2 x 3-bed market units. The social rent units would have a separate access of Camden Road, with the Block C shared ownership and market units sharing the same entrance as Block B. A large communal roof garden would be provided at sixth floor level which shall be available to the market and shared ownership units, with the social rent units having direct access to the rear courtyard from lower ground level. The lower ground of Block C would also contain a refuse store and large plant room.

### Block D

- 2.5 Otherwise known as Pulse House, this is the only building on the site to be retained. This vacant office will be refurbished and converted into 2 x 2-bed flats. One accessed from the courtyard and one from Bonny Street
- 2.6 The proposals also include a newly landscaped courtyard including tree planting, 3 x new street trees along Camden Road, 3 x disabled parking spaces fronting Bonny Street, an area of children's playspace accessed of the courtyard, a new external stair access to the canal from Camden Road and a bike store.

## Revisions

- 2.7 The following revisions have been received during the course of the application:
- Reduction in ground floor height of Block A, B and C by 300mm (reducing floor to ceiling height from 4m to 3.7m).
  - Reduction in top floor height of Block B by 300mm (reducing floor to ceiling height from 4m to 3.7m).
  - This combined 600mm reduction of Block B ensures it would be 1790mm lower than Shirley House and 1830mm higher than Highstone Mansions.
  - Amendments to front elevation of Pulse House.
  - The privacy screen serving Pulse House roof terrace is set in a further 500mm from the elevation facing Bonny Street neighbouring gardens.

## 3. RELEVANT HISTORY

- 3.1 **2009/0119/P & 2009/0122/C:** Demolition of buildings on site and redevelopment to provide mixed-use development comprising 72 residential units (class C3), office (class B1) and retail/professional services/food and drink units (class A1/A2/A3). Associated hard and soft landscaping. **REFUSED** on 24/04/2009.

### Reasons

1. The proposal, by reason of its scale, bulk, height, detailed design and layout, would be detrimental to the setting
2. The proposal, by reason of its scale, bulk, height and detailed design, would be harmful to the character and appearance of the Regent's Canal, Jeffery's Street, Camden Broadway and Camden Town Conservation Areas
3. The proposal, by reason of its scale, bulk, height and detailed design, would be detrimental to character of Regent's Canal
4. The proposal makes provision for neither on-site communal amenity space nor on-site play space and is likely to give rise to a poor standard of residential amenity to future occupiers of the development and in the absence of a legal agreement to secure an open space contribution
5. The proposal makes no provision for on site disabled parking, and, in the absence of a legal agreement to secure off site disabled parking
6. Absence of legal agreement to secure car-free housing, highway contributions, educational contributions, CMP, BREEAM, Code for Sustainable Homes, Energy Strategy.

## 4. CONSULTATIONS

- 4.1 During the extensive pre-planning application process the applicant undertook comprehensive consultation with the local community that included two public exhibitions held locally on 1 November 2010 and 15 March 2011 with 600 paper invitations posted to local residents. A number of individual briefing meetings were also held with local resident associations and British Waterways. This extensive consultation was strongly supported by officers.
- 4.2 Following formal submission, consultation letters were sent to 183 properties on 28/06/11. Site notices were displayed on Camden Road, and either end of Bonny Street on 29/06/11 and the application was also advertised in the Ham & High

Newspaper on 07/07/11. The statutory public consultation period formally expired on 28/07/11.

4.3 The statutory, non-statutory and neighbour responses are considered below.

### **Statutory Consultees**

#### **English Heritage**

4.4 The scheme presents a significant improvement over the previously refused 2009 scheme in terms of height, bulk, scale and detailed design and has much reduced the impact on the setting of the Regent's Canal and Camden Road Conservation Areas. However, the only reservation relates to the height of the building located on the corner of the Regent's Canal and Camden Road, which still appears over scaled in key views and could benefit from being set back from these elevations.

#### **British Waterways**

4.5 No objection to the principle of the development and support the opening up of the canalside in the form of a café or retail unit which would animate the towpath. Various conditions are suggested including:

- Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water,
- full details of the proposed landscaping scheme,
- full details of canalside security shutters,
- full details of any proposed lighting and CCTV scheme,
- a feasibility study to assess the potential for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclates).

#### **Thames Water**

4.6 No objection subject to the attachment of their standard informative.

#### **Environment Agency**

4.7 No objection and support the proposed greens roofs. Informative suggested in relation to provision of a Piling Risk Assessment.

#### **Metropolitan Police Crime Prevention Design Advisor**

4.8 The Crime Impact Statement is supported

#### **Primary Care Trust**

4.9 No response.

#### **London Underground Limited**

4.10 No objection.

#### **Transport for London (Street Management)**

4.11 No response

### **Regents Canal Conservation Area Advisory Committee**

5.2 The following objections:

- The height of the tallest block should not exceed the height of Highstone Mansions on the Camden Road/Lyme Terrace junction.
- The proposal must show details of the tow path lighting and landscaping of the canal frontage.
- The abutment walls of the North Road Bridge, which will be affected by the new access stair from Twyman house front garden must be retained. Details are required of how this 1824 brickwork will be retained as an integral part of the bridge.

### **Local Groups**

#### **Camden Town Unlimited**

4.3 Support.

#### **Regents Network**

4.4 No response.

### **Adjoining Occupiers**

	<b>Original</b>
<i>Number of letters sent</i>	183
<i>Total number of responses received</i>	203
<i>Number of electronic responses</i>	4
<i>Number in support / comments</i>	6
<i>Number of objections</i>	197*

*\* 186 of these objection letters are identical photocopies and individually signed – akin to a petition style objection.*

#### 4.5 **Objection letter summary:**

- The height of Block B would create a menacing canyon effect with Shirley House
- Block B and C are each one storey too tall
- The proposals show a blatant disregard to the general 3-4 storey scale of the conservation areas
- The on-site open space is too small
- The open space will be shadowed and therefore not a pleasant space
- The proposed balconies will result in significant overlooking of each other and Bonny Street's rear gardens
- The Block D terrace would significantly overlook Bonny Street rear gardens
- Block D should be demolished to make more on site open space
- The ceramic green tiles have no place in the conservation area
- There should be no demolition or construction works at weekends
- Block A would harm the outlook to rear of Bonny Street properties
- Block A would harm direct sunlight to rear of Bonny Street properties
- The development would harm sunlight to Highstone Mansions
- The two storey block of Pulse House should be demolished
- The existing infrastructure can not cope with the extra demand
- Concern that a security gate to Bonny Street would reduce rear access to existing Bonny Street residents who have rights of way on part of site

- Unacceptable nuisance from noise and pollution during construction works
- The increase in residents would put undue pressure on local infrastructure such as school places, public transport, and health provision
- The steps to the canal could increase security risk
- The canal steps would result in loss of the Plane Tree
- The density is too great and overdevelopment of site
- The site is not suitable for families with young children and should be instead aimed for elderly persons or at least older children
- All the blocks should be built in the same colour bricks
- Object to loss of Virginia Creeper on wall to be demolished next to canal
- So many new residents would add to 'city noise' and littering of area
- Block A would create too much pedestrian traffic through Bonny Street

#### 4.6 **Support letter summary:**

- New access to canal strongly supported
- The landscaping plan is well conceived
- Good sustainable aspects of design, particularly the green roof
- The design of new flats are welcome
- The scale is appropriate for the area
- Development should be seen as a positive regeneration of for the area

## 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

CS7 – Promoting Camden's centres and shops

CS8 – Promoting a successful and inclusive Camden economy

CS10 – Supporting community facilities and services

CS11 – Promoting sustainable and efficient travel

CS13 – Tackling climate change through promoting higher environmental standards

CS14 – Promoting high quality places and conserving our heritage

CS15 – Protecting and improving our parks and open spaces and encouraging biodiversity

CS16 – Improving Camden's health and well-being

CS17 – Making Camden a safer place

CS18 – Dealing with our waste and encouraging recycling

DP1 – Mixed use development

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

DP3 – Contributions to the supply of affordable housing

DP4 – Minimising the loss of affordable homes

DP5 – Homes of different sizes

DP6 – Lifetime homes and wheelchair housing

DP10 – Helping and promoting small and independent shops



DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses  
DP13 – Employment premises and sites  
DP15 – Community and leisure uses  
DP16 – The transport implications of development  
DP17 – Walking, cycling and public transport  
DP18 – Parking standards and limiting the availability of car parking  
DP19 – Managing the impact of parking  
DP20 – Movement of goods and materials  
DP21 – Development connecting to the highway network  
DP22 – Promoting sustainable design and construction  
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  
DP30 – Shopfronts  
DP31 – Provisions of, and improvement to, open space and outdoor sport and recreation facilities  
DP32 – Air quality and Camden’s Clear Zone

## 5.2 **Supplementary Planning Policies**

Regents Canal Conservation Area Appraisal

Camden Planning Guidance 2006

Camden Planning Guidance 2011

- Design CPG 1
- Housing CPG 2
- Sustainability CPG 3
- Basements and lightwells CPG4

Draft Amenity CPG6

Draft Planning Obligations CPG8

## 5.3 **The London Plan** (July 2011)

## 6. **ASSESSMENT**

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

- **Land use principles**
- **Housing and Affordable Housing**
- **Urban design and heritage assets**
- **Inclusive design**
- **On-site amenity space**
- **Neighbouring residential amenity**
- **Security**
- **Refuse and recycling**
- **Transport, construction management and servicing**

- **Basement excavation**
- **Climate change**
- **Biodiversity, trees and canal ecology**
- **Noise and Air Quality**
- **Other Planning Obligations**

### **Land use principles**

- 6.2 The 2,666sqm of vacant office floorspace, currently accommodated within Twyman House and Pulse House, will be lost through redevelopment. In assessing this loss, Core Strategy policy CS8 and Development Policy DP13 are relevant, however a significant material consideration for this proposal is the 2009 application. Although this application was refused, the loss of the outdated, inflexible and underused office space was fully considered and accepted in the context of providing a residential led mixed use development on the site. Under policies CS6 and DP2 housing is identified as the priority land use in the borough, accordingly the loss of the office floorspace is accepted to make way for the provision of 54 new residential flats that are strongly supported in land use terms.
- 6.3 The redevelopment of this site for mixed-use purposes is also supported in land-use terms and would further the aims and objectives of the Council in terms of ensuring that new developments are sustainable and provide for balanced mixed communities. The flexible A1/2/3 uses are also supported in this central location.

### **Housing**

- 6.3 Development Plan policy DP3 expects all residential developments with a capacity for 10 or more additional dwellings to make a contribution to the supply of affordable housing. When negotiating on individual private residential and mixed-use schemes the Council will seek a target of 50% of the total housing floorspace to be affordable, but will apply the target with regard to a sliding scale from 10% for developments with a capacity for 10 dwellings to 50% for developments with capacity for 50 dwellings. Core Strategy policy CS6 targets 60% of affordable housing to be for social rent and 40% to be intermediate provision, and the promotion of mixed and inclusive communities. Policy DP3 also recognises factors relating to the individual circumstances of a site taking account of site costs and constraints, the availability of public subsidy, financial viability and other scheme requirements that will affect the scale, nature and location of affordable housing. Where a proposal does not meet the affordable housing target a submission of a financial viability appraisal will be required to justify the proportion proposed.

#### The Affordable Housing offer

- 6.4 This application proposes 54 residential flats including a mix of market, social rent and shared ownership and therefore, in the first instance, the provision of affordable housing on the site is welcomed and in accordance with policy DP3. Of the 54 units proposed, 13 shall comprise affordable housing. Affordable housing provision is calculated with reference to the residential floorspace provided and in this instance the scheme shall provide for 24% affordable housing.

6.5 The 13 affordable homes are comprised by 6 social rent units (1 x 1-bed, 2 x 2-bed and 3 x 4-bed) and 7 shared ownership units (6 x 1-bed and 1 x 3-bed). On floorspace this creates 755qm social rent and 510sqm shared ownership which is a 60:40 tenure split in compliance with policy CS6. All 13 affordable units would be accommodated in Block C ground to fourth floor levels and accessed from a dedicated residential entrance off Camden Road. The affordable housing has been designed to be tenure blind i.e. the external appearance of the affordable housing elements are of the same quality as the market housing. Furthermore, the future occupants of the affordable housing would have full access to the central courtyard, children's playspace and sixth floor roof garden on Block C. The Council's Housing Partnerships Team support the proposed mix and residential quality/amenity of affordable the dwellings and particularly welcome the three large family sized social rented accommodation, which are in great demand to meet housing need.

#### Financial Viability

6.6 In accordance with policy DP3 a financial viability appraisal (hereafter 'the appraisal') accompanied the application to justify the provision of affordable housing, which at 24%, is below the local target of 50%. The appraisal is based on the Greater London Authority's Development Control Toolkit Model, which is most widely recognised model used for appraising housing developments in London.

6.9 To justify that it would be financially unviable to provide the 50% target on the site the appraisal included two options.

1. 48% offer with a 60:40 tenure split
2. 24% offer with a 60:40 tenure split

Option one would produce a negative figure of £4,718,000 against the site's Existing Use Value (EUV) which would fall significantly short of a viable scheme. Option two would also produce a negative figure of £900,000 against the EUV, and would therefore also financially unviable. However, as option two would result in a profit to the applicant, albeit reduced, the incentive is there for the applicant to proceed with this option to ensure that a development could be brought forward on this underused site.

6.10 In order to confidently assess the approach, evidence and conclusions of the appraisal it was necessary to instruct an independent financial assessor to robustly scrutinise and review the appraisal. In this regard BPS Surveyors were instructed, who produced a report in response. BPS undertook an in-depth review of the assessment which was supplemented by additional evidence and sensitivity information from the applicant at the request of BPS. Officers also instructed BPS to give particular scrutiny to the EUV which required meetings with representatives of the applicant. As such it is considered that the BPS Report is a comprehensive and astutely detailed assessment of the appraisal.

6.11 The BPS Report confirms that the EUV, the build costs, commercial rent values, and residential sales figures were reasonable and commensurate with recently completed developments of similar scale in this part of the borough. BPS considered that the development programme, including the marketing and sales period, was also acceptable so that the cash flow projections are reasonable.

- 6.12 In light of the above, the BPS Report confirmed that all the variables of the appraisal were sound and that 24% would be the maximum reasonable quantum of affordable housing to expect for the development with no public subsidy under current market conditions in accordance with policy DP3. Moreover the BPS Report states that it is important that this offer is considered in the context of a poor economic climate coupled with the Homes and Communities Agency (HCA) decision to no longer publically subsidise residential proposals. Another key consideration are the other s106 obligations required for the development, which are significantly larger than what the applicant's appraisal first forecasted, thereby further impacting on scheme viability.
- 6.13 For a relatively small residential proposal, where profit margins are smaller, with no HCA funding or significant cross subsidy from commercial rent, officers fully support the 24% offer and welcome that applicant is willing proceed regardless of the negative £900,000 against the site's EUV.

#### Deferred Affordable Housing Contribution

- 6.13 Although the BPS Report is satisfied that 24% is the maximum reasonable offer to create a financially viable development, it also acknowledges that the appraisal variables are based only on a snapshot in time and that small variations to the build costs and sales values for example, could have a marked effect on the residual value and viability. Accordingly officers recommend that consent should only be granted on the basis that the scheme's viability be re-appraised at a later stage. In the event that the viability improves to such an extent that the development could bear the costs of more affordable housing and yet still yield a sufficient profit the applicant to bring it forward, the applicant would make a greater contribution to affordable provision in the borough, in the form of a financial sum. Officers recommend that the re-appraisal be undertaken as close as possible to the point of completion of the development, or once sales of a significant proportion of the units have been achieved. This measure would be secured by S106 legal agreement.

#### Contribution from the Council's Affordable Housing Fund

- 6.14 The 24% offer, described in detail above, would in part be based upon securing £220,000 from the Council's Affordable Housing Fund. To secure this, a bid from the Council's Housing Partnerships Team must first be agreed by the Director of Culture and Environment in consultation with lead members for Housing and Environment. If agreed, Legal Officers would then draft a funding agreement and present to the Secretary of State who will make the final decision on granting the bid. This bid process is completely separate to the planning application process; however for the purposes of assessing this proposal, the £220,000 has been included. Should the Director of Culture and Environment or Secretary of State reject the bid, then a new application would be required with a revised/alternative affordable housing offer. This offer would likely be lower than the current 24%.
- 6.15 In summary, this financial input from the Affordable Housing Fund is crucial in helping ensure that all 6 social rent units would be set at the traditional target rent levels which are affordable for nominees on the Council's housing waiting list. The alternative would see the units being potentially set at the HCA's 'affordable rent'

rates, which can be up to 80% of market rent, and therefore unlikely be affordable for Camden nominees.

#### Housing mix

- 6.15 Development Plan policy DP5 expects all residential developments to contribute to the creation of mixed and inclusive communities by securing a range of self-contained homes of different sizes, with particular regard to the sizes set out in the 'Dwelling Size Priorities Table'. In terms of affordable housing, this proposal positively includes 3 x 4-bed units for social rent, which accords with the table's 'very high' priority for 4-bed or more in this tenure type. Furthermore, 6 x 1-bed units for shared ownership are proposed and there is a 'medium' demand within this category.
- 6.16 For the market housing the scheme proposes only 18 x 2-bed units which is a unit size in 'very high' demand within the borough. Moreover, the 14 x 3-bed units are in 'medium' demand, and therefore welcomed, particularly on this site which will provide a good level of onsite private and communal amenity to attract families with young children. It is particularly positive that only nine 1-bed units are proposed as there is a 'lower' demand in this category.
- 6.17 To summarise some key figures, the overall scheme will provide 18 large family sized units (33%) which is positive for a high density residential development in such a central location. The 20 x 2-bed units (37%) are also welcomed given the housing need for these units across all tenures, and 1-bed units making up the lowest proportion on the site (29%) corresponds adequately with the lowest unit size demand in the borough. To conclude, a good mix is proposed, especially when considering the constraints of redeveloping a centrally located site surrounded by sensitive neighbours whereby the potential to provide a range of dwelling sizes is usually limited. The mix should support a strong mixed and balanced community.

#### Residential Density

- 6.16 Policy CS1 of the LDF Core Strategy seeks to focus growth in the most accessible parts of the borough. In order to make the most efficient use of land higher density development is encouraged in those locations which are well served by public transport and there is an expectation that densities will be towards the higher end of the density ranges set out in the London Plan. The proposal would create 808 habitable rooms per hectare (equating to 257 units per hectare). This density fully accords with the density matrix (table 3.2) of the London Plan 2011 for a site located within a central area with an excellent Public Transport Accessibility Level (PTAL) of 6, which expects 650-1100 habitable rooms per hectare.

#### Quality of new accommodation

- 6.17 Development Plan policy DP26 requires residential developments to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes, amenity space and an internal living environment which affords acceptable levels of sunlight, daylight, privacy and outlook.
- 6.18 With regards to dwelling and room sizes, all 54 flats would comfortably exceed the residential space standards set out in the Camden Planning Guidance (CPG). Furthermore, all units would have usable layouts to maximise functionality and

liveability for future occupiers. All the flats would have access to some external amenity including 349sqm in the courtyard and 292sqm of children's playspace, with a 228sqm roof communal terrace in Block C accessed by the affordable units. The majority of the flats will have access to private outdoor balcony space which totals 213sqm. For an inner London site like this in such an urban context, this provision of on-site amenity, including playspace, is commendable.

- 6.19 An independent daylight and sunlight assessment, based on the guidance and methods contained in the BRE 'Site layout planning for daylight and sunlight: A guide for good practice' (1991), accompanies the application. This report assessed the lower two floors of Block A and the windows serving the converted Pulse House (Block D). As Blocks B, C and the upper floors of Block A have good open aspects then it is considered they will also have good potential for daylight. Out of the 24 rooms tested, 3 marginally failed the Average Daylight Factor (ADF). This includes the shared living room at lower ground level in Pulse House which is 1.2% ADF (0.3% lower than the required 1.5%), a canal side bedroom serving lower ground flat in Block A which is 0.7% ADF (0.3% lower than the required 1%) and a living room serving lower ground flat in Block A which is 1.2% (0.3% lower than the required 1.5%). Although it is unfortunate that these 3 rooms fail ADF, this is a very low percentage in the scheme as a whole, and furthermore these rooms occupy flats that are dual aspect which should more than compensate for the shortfall.
- 6.20 Of the 54 flats proposed 33 would be dual aspect (61%) and therefore achieve good levels of outlook, light, noise separation and natural ventilation. In such an urban context this proportion of dual aspect flats is considered very high, and is particularly positive. Moreover, the majority of the single aspect units either face into the courtyard, over the canal or are at higher levels to avoid noise and air pollution from Camden Road. The proposal will provide a high level of quality of accommodation.
- 6.21 With regards to privacy within the development, there are no habitable rooms that directly face each other save for those serving Pulse House (Block D) and Block A. To ensure no privacy conflict would occur here, the windows serving Pulse would have angled louvers that still allow good levels of light and outlook. These shall be secured by condition. There is one balcony serving flat B.1.3 that could potentially overlook flat B.1.2's bedroom and therefore a condition is secured to ensure the southern end of this balcony has a privacy screen. Overlooking between outdoor balcony spaces is acceptable. Finally, the elevation of Block A fronting the towpath, will be served by higher level windows, and this coupled with the towpath being 1m lower than the finished internal floor level, will ensure no overlooking can occur from pedestrians and cyclists using the towpath.

### **Urban design and heritage assets**

- 6.4 The form and appearance of new development, its layout and relationship to its surroundings are important considerations for planning proposals in Camden. Pursuant to Core Strategy policy CS14 and Development Policies DP24 and DP25 all new development should be of the highest standard of design, respect local context and character and preserve and enhance Camden's heritage assets.

### Principle of demolition

- 6.5 The existing building is of low architectural quality with no heritage value and adds little merit to the character and appearance of the Conservation Area. Consequently a detailed PPS5 statement was not necessary to justify demolition in this respect and the demolition is supported subject to a suitable replacement.

### Background

- 6.6 Before the merits of the proposal are discussed it is important to acknowledge the recent planning history of the site. The 2009 application, which included a large 13 storey tower on the corner of Camden Road and the canal, was refused. Reasons primarily related to its harmful impact on the character and appearance of the conservation areas, the canal and surrounding context in general by reason of its excessive scale, bulk and height. Addressing these refusal reasons was the starting point for the current applicant's proposals, and since October 2010 there have been ongoing collaborative pre-app discussions between applicant, architects and planning/design officers to realise the most appropriate development for the site. This period also included direct contact between developer and the local residents (paragraph 4.1). Officers now consider that these negotiations have produced a development that would enhance the character and appearance of the area, protect neighbouring amenity, whilst also optimising this highly accessible site's potential for a sustainable development.

### Surrounding context

- 6.7 The site forms part of the Regents Canal Conservation Area and is bound by the Jeffrey's Street Conservation to the north and the Camden Broadway Conservation Area to the east. Adjacent listed structures include the Grade II road bridge over the canal, which dates from 1816-20; Grade II four storey terraced houses at 2-8 Bonny Street circa 1840-45; and the Grade II Camden Road overland railway station dating from 1870 that comprises 223 Royal College Street and 13-23 Bonny Street. Finally, the towpath adjoining the sites southern boundary is a designated area of public open space and nature conservation. The combination of these heritage and natural assets necessitates a development to respect its particularly sensitive context whereby the challenge for high quality design is even greater.
- 6.8 Other important features of townscape context include Shirley House; a large 7 storey building located directly to the south, across the canal, and occupied by the British Transport Police. Another large 7 storey building known as Highstone Mansions is located directly opposite the site to the east, across Camden Road. This is in residential use with commercial at ground level. Given the close proximity of these two neighbouring buildings and their prevailing scale within this particular stretch of the canal and Camden Road, they are considered important local references for what scale should come forward on the applicant site.

### Scale, height and massing

- 6.9 Early pre-app proposals sought a 13 storey tower at the junction with Camden road and the canal (Block B), with the context of the large Shirley House building presented as justification. However in light of the recent 2009 refusal, and officers opinion that the site was not an appropriate location for a 'tower', either in its own right as a landmark or as part of a cluster, it was made clear that a proposal that would be significantly taller than the prevailing context would not be supported.

Instead officers advised that the site required a development that would reinforce the group of buildings within the street between the canal and the railway station to help create a terrace that would strengthen and unify this part of Camden Road's townscape, as well as providing a well defined and stronger street frontage. Accordingly, the height of Block B went through a number of height iterations before officers were fully satisfied that the character and appearance of the area would be preserved and enhanced; reducing from 13 storeys to 9 storeys and finally to 7 storeys high (from street level).

- 6.10 The large and irregularly shaped site boundary presents very different urban characteristics, whether it is the canal to the south, the warehousing to west, residential terraces to the north or Camden Road to the east. As such, the proposals comprise three different types of urban blocks A, B, and C (Block D is Pulse House which remains) to respond appropriately to the individual contexts in which they are set.
- 6.11 **Block A** is no higher than four storeys from towpath level. This height appropriately respects the lower scale character predominantly found along the canal to the west, including the neighbouring 140-146 Camden Street warehouse building, and will ensure that the light and outlook to the Bonny Street residents to the north remain at an acceptable level.
- 6.12 **Block B** is the tallest element of the proposal at 8 storeys from towpath level and 7 storeys from street level. Although this height is significantly lower than the 2009 refusal and has been carefully refined during extensive pre-app negotiations, there has been much local objection to the proposed height with most objectors seeking that Block B and C to be reduced by one full storey. Officers acknowledge these concerns but maintain the view that this corner can comfortably support a taller element, and for two key urban design reasons.
- 6.13 Firstly, this corner of the site provides a clear and recognised termination point at the junction of Camden Road with the canal, a junction that is already reinforced by the existing 6 storey Twyman House, the 7 Storey Shirley House, and 7 storey Highstone Mansions. Therefore a building that closely matches the height of these neighbours, in this context, should be supported. Secondly, Block B's height is necessary to act as an appropriate transition in building mass, between the taller Shirley House and Camden Road rail station, which would help unify the built townscape and building line on this side of Camden Road. It is acknowledged that Shirley House is a negative building in the area, and to a lesser extent Highstone Mansions, however their existence must not be ignored as they significantly inform the prevailing scale of the area, and this scale must be responded to. As such Block B's height closely references the height of both Shirley House and Highstone Mansions, so that it would sit comfortably within this part of the street and canal context. Accordingly, Block B's height has been carefully considered to respond to the prevailing scale in this part of central Camden, and would therefore preserve the appearance of the conservation areas and settings of nearby listed buildings.
- 6.14 Objections also refer to the top floor of Block B as being too tall at 4m, with the additional metre (floors below are all 3m high) negatively drawing attention to the top floor. However, the greater width of windows at this level lightens the



appearance of this upper floor, further reducing the sense of Block B's scale. As such, officers welcome the height and expression of this top floor. Moreover, during the course of the pre-app discussions, window openings on the north elevation (facing no.41 Camden Road) were removed to ensure that Blocks B would form part of the stepping terrace and not perceived as a 'tower' with windows on all sides. The scheme also creates a horizontal modulation through largely glazed ground and lower ground which defines the base of the blocks, regular vertical window openings providing middle floors, and a top floor 'loggia' representing the entablature (the part that rests on vertical columns below). These facades therefore comprise the essence of classical residential architecture and whilst positively referencing the more industrial buildings found along the canal, thereby successfully corresponding to the language of area. This architectural 'style' is current in London and has been successfully achieved by the architect in other high quality residential and mixed used schemes in the capital.

- 6.15 **Block C**, at 6 storeys, is appropriately scaled to further assist with the comfortable transition in height along this side of Camden Road. This block is one storey lower than Block B and includes a set back at fifth floor level, so that it would present a respectful scale with the adjoining terrace at 41 Camden Road, and consequently Camden Road Station beyond. Block C also purposefully steps slightly forward of the building line to differentiate between Block B's façade to ensure that both are appreciated as individual buildings within the terrace, and not a single mass. This rhythm is further reinforced with both blocks employing different colours of brick.

#### Revisions to height

- 6.16 Notwithstanding the appropriate height, scale and massing of all blocks as discussed above, officers did consider it pertinent to respond positively to local concerns and have subsequently negotiated a 600mm reduction in height of Block B, and 300mm of Block C. This is would ensure that Block B would be 1.79m lower than Shirley House and 1.83m higher than Highstone Mansions. When viewed together from street level, the differences in height between the three buildings would be almost unnoticeable. As such, the proposed Block B and C height would fit comfortably within its prevailing context and would help unify the townscape further. Therefore the objectors request for a one full storey reduction, or any additional floor to ceiling height, is not necessary and would only serve to compromise the architectural integrity of the proposal and its viability.
- 6.17 It is important to recognise that any further loss of floorspace in such a highly accessible location would not be making the optimum use of the site in residential density terms, to the detriment of sustainable development principles. Finally, the loss of a floor on Block's B and C, (4 x 2-bed and 2 x 3-bed market flats) would significantly reduce the viability of the scheme, to extent that the delivery of much needed housing, and importantly affordable housing would be completely unachievable. As such, officers welcome that the proposal offers a very well balanced development, one that achieves the appropriate height and scale, optimum density and correct mix and quality of accommodation that enhances the character and appearance of the area.

#### Facade treatment and materials

- 6.22 An extensively detailed townscape analysis was carried out early on during pre-app negotiations so that particular attention could be given to the historic townhouses and industrial canal buildings, which give the area its distinct character. This analysis has been fundamental in helping evolve the architectural language of the new facades, so coupled with the clear distinctions in massing outlined above, the materials and expression of fenestration pattern presented have also helped the individual blocks to respect their own contexts even further.
- 6.23 The facades comprise a contemporary response to the classical industrial and architecture which is typical to the Regent's Canal Conservation Area, and therefore respectful of the local character. This includes a limited but high quality palette of natural materials appropriate for the setting of the development, particularly along the nature conservation corridor that the canal provides. The use of London Stock brick for the main body of the facades would provide a high quality neutral response whilst the ceramic tiles within some window reveals fronted by metal balustrades would add some playful interest and variety. The colour of these tiles will be conditioned.
- 6.24 All the facades include a regular fenestration pattern that presents a generally coherent response to the site, and this approach is appropriate for the scale of development proposed. However, to avoid a unified mass, particularly along Camden Road, subtle differences are employed in the fenestration design. The differences include an irregular expression of window depth whereby some reveals are clearly visible and treated with ceramic tiles and Juliet balconies, with Block C also having narrower window openings. These variations in the windows, coupled with the different colour of brick for blocks B and C, provides a good level visual interest as well as a street rhythm of distinguished plots along Camden Road. This treatment will improve and revitalise the appearance of the townscape.
- 6.25 To take full advantage of the site's orientation and canalside environment, the rear courtyard and canal elevations will include external balconies. These balconies will add further visual interest whilst also providing a connection between the internal living spaces and external courtyard amenity which shall be softly landscaped. As well as outdoor amenity, the balconies will allow residents to enjoy of the more introspective and natural environment at the rear.
- 6.26 The details of all external materials will be conditioned to ensure the highest quality and execution.

### **Inclusive design**

- 6.16 Development Policy DP6 requires all housing development to meet lifetime homes standards and for 10% of homes to meet wheelchair accessible standards, or be easily adapted to meet them. The design and access statement and supplementary Lifetime Homes checklist, accompanying the application, appropriately demonstrates that those standards would be achieved in accordance with policy DP6. With regard to wheelchair accessible units, the 10% minimum is exceeded with 7 units proposed (B.1.1, B.1.2, C.G.2, C.1.1, C.1.2, C.2.1 and C.2.2) are identified with drawings appropriately annotated showing how the flats would be

used by a person in wheelchair. Moreover, the wheelchair units are spread across all tenures, which is welcomed.

- 6.17 The courtyard amenity space will also be level accessed by all 54 units so no resident will be required to enter from the steep Bonny Street entrance. The proposed corner duplex commercial unit, fronting Camden Road and the canal, will include an internal lift, thereby providing excellent opportunity for wheelchair access along this stretch of the canal. This is welcomed and shall be secured by condition. The proposal accords with policy DP6.

### **On site amenity space**

- 6.18 Pursuant to Core Strategy policy CS15 and Development Policy DP24, residential developments are required to provide communal and private outdoor space to meet the needs of prospective residents. Guidance requires 9sqm per bedspace which equates to 1,017sqm for the development (113 bedspaces x 9sqm). Achieving this full quantum can be challenging, particularly on sites within densely built up parts of the borough like this. However, this particular development proposes 1,166sqm of space on site, comprised of 349sqm soft landscaped courtyard space, 292sqm of children's playspace, 228sqm roof terrace to Block C and 297sqm in the form of private balconies. A level of on-site amenity space that exceeds the requirement is very unusual, particularly for high density developments in urban contexts. This aspect is therefore welcomed as very positive. Furthermore, the site's location next to the Regent's Canal designates public open space ensures residents will have a good choice of amenity.
- 6.19 It is noted that objectors seek that a significant part of Pulse House should be demolished to provide additional outdoor amenity space, instead of conversion into two residential flats. Officers strongly disagree with this for two reasons, firstly the proposal already exceeds the requirement of outdoor amenity, and secondly the refurbishment and reuse of vacant of buildings is strongly supported in policy terms, particularly with regards to sustainable development and the creation of additional housing to meet the borough's need.

### **Neighbouring residential amenity**

- 6.20 Core Strategy policy CS5 and Development Policy DP26 seek to ensure that the existing sensitive residential amenities of neighbouring properties are protected, particularly with regard to visual privacy, outlook, daylight and sunlight, noise and air quality.

#### Privacy and overlooking

- 6.20 There is a minimum distance of 21m between rear elevation of Block A and the rear elevations of 2-8 Bonny Street, which comfortably exceeds the 18m guidance, to ensure no privacy loss to these neighbours. With regards to 12-14a Bonny Street's rear elevation (habitable windows at first, second and third floor levels), the minimum distance to Block A reduces to 17m, and for Block B this reduces to 14m. These distances are noted as being less than the guidance requirement, however in urban London environments like this; this relationship is very common. Especially

so in mews style developments to which this proposal is reasonably akin. As such, it would be unreasonable to refuse the application on grounds of privacy loss.

- 6.21 The proposed roof terraces serving Pulse House will include an appropriate 1.8m high privacy screening to ensure the Bonny Street neighbours will not be overlooked, and this is secured by condition. Within the converted Pulse House, there are a number of windows that directly abut the rear gardens of 2 and 4 Bonny Street, and to ensure no privacy conflict occurs these windows shall be obscured up to 1.8m high above floor level. This will still allow adequate daylight and outlook to these dual aspect units.

#### Daylight and sunlight

- 6.27 Firstly, it is important to acknowledge that the proposed building's massing and bulk is significantly reduced from what was proposed in the 2009 application. Although this was refused, the impact on neighbouring daylight and sunlight was considered acceptable and no reason for refusal was included on those grounds. Nonetheless, as this is a new proposal, an independent Daylight and Sunlight Report, by Gordon Ingram Associates, accompanies the application which assesses the impact of the proposal on daylight and sunlight to neighbouring buildings.
- 6.28 This Daylight and Sunlight Report is based on the accepted guidance set out within the BRE 'Site layout planning for daylight and sunlight: A guide for good practice' (1991), which outlines the sequential tests including the Vertical Sky Component (VSC), the Average Daylight Factor (ADF) and the Annual Probable Sunlight Hours (APSH). For the purposes of all tests, only the neighbouring residential habitable rooms are protected by planning policy and are therefore relevant. Furthermore, only the habitable windows that face within 90 degrees due south of the proposal are applicable for testing with regard to direct sunlight. The results of these tests will be examined in the following paragraphs.
- 6.29 The VSC is the most commonly applied test, and should it fail then it would be necessary to undertake an ADF test. The VSC is a measurement that represents the amount of available daylight from the sky received at the outside face of any window being tested. The BRE has determined that a VSC figure can be reduced by up to 20% (0.8 of its former value) before the daylight loss is materially noticeable. The following residential properties were tested.

#### *Bonny Street*

- As explained above, the VSC figure can be reduced by up to 20%, and for the Bonny Street residents a total of 100 windows were tested here and all of them passed the VSC test, the majority comfortably. The biggest reduction in VSC was measured at 18.87% at 6 Bonny Street.

#### *Highstone Mansions 84-92 Camden Road*

- Out of the 72 windows tested, none failed the VSC test. The Majority passed comfortably with a 10% VSC reduction being the most prevalent.

*41-45, 94 and 96 Camden Road*

- Out of the 27 windows tested, none failed the VSC test. The Majority passed comfortably with the biggest reduction in VSC was measured at 10.37% at 94 Camden Road.

*1-28 Camden Street*

- Out of the 81 windows tested, all comfortably passed the VSC test with a 3% VSC reduction being the most prevalent.

6.24 These VSC results demonstrate that the development would not materially harm any neighbouring daylight, and therefore the next sequence of testing for No Sky Contours and ADF are not required. However, they are nonetheless included in the Daylight and Sunlight Report.

6.25 With regards to sunlight good Annual Probable Sunlight Hours (APSH) levels are considered 25% for summer and 5% for winter. Of all the windows that required testing only two failed to meet the APSH criteria, and this was for winter sunlight only. These windows serve the ground and first floor at 2 Bonny Street whereby the winter APSH would be 2% and 3% respectively. Overall the APSH result must be considered positive in such an urban context.

Outlook and enclosure

6.27 The acceptable levels of privacy and daylight/sunlight that would be maintained, consequently means that these neighbours would also retain good levels of outlook. For example, canalside Block A has been sensitively considered to be no higher than four storeys so that the rear of the Bonny Street properties would still maintain good outlook to the south. Most of the additional height and bulk will be on the site of the demolished five storey Twyman House, so that the sense of enclosure will remain relatively similar on this part of the site. It is considered that newly landscaped courtyard would provide a more attractive outlook than what exists at the moment.

Amenity impact of an A3 use

6.28 Should any A3 uses come forward there are appropriate conditions attached to ensure that the details of any necessary plant or ducting will be required for full assessment. Furthermore, a condition, ensuring the A3 use will not be open between the hours of 23:00 and 08:00, is attached. These controls will ensure that no residential amenities are harmed.

**Security**

6.28 The Design and Access Statement includes a Crime Impact Statement which has been assessed and supported by the Crime Prevention Design Officer. This includes access controlled entrance doors with an intercom system linked to individual flats, self closing self locking doors to bike and refuse stores, the bike store will have locked cages for added security and there will be security gate to the Bonny Street entrance and children's playspace that would be only operable by a key fob provided to each flat. Security gate access will also be provided to the relevant neighbouring Bonny Street residents that face onto to the internal courtyard, given that these neighbours have vehicular right of way to their lower

ground garages. This will be secured in the S106 Agreement. Furthermore, the details of the lighting and CCTV strategies will be conditioned.

### **Refuse and recycling**

- 6.29 All new developments are required to provide adequate facilities for recycling and the storage and disposal of waste in accordance with Core Strategy policy CS18 and Development Policy DP26. Two waste storage areas are provided in accordance with Camden Planning Guidance, one 49sqm store accommodated at lower ground level in Block C to serve the 41 market units (11 x 1100 litre eurobins and 4 x recycle bins), and another 35sqm store in Block C to serve the 13 affordable units and the retail space (11 x 1100 eurobins and 2 x recycle bins). Both stores are securely accessed internally for all residents and externally for the refuse collectors who will park their vehicles directly outside on collection days.

### **Transport, construction management and servicing**

#### Car parking

- 6.42 Considering the site has a Public Transport Accessibility Level of (PTAL) of 6 (excellent), is located within a Controlled Parking Zone, and within the "Clear Zone Region", for which the whole area is considered to suffer from parking stress, the development shall be secured as car free through a s106 legal agreement in accordance with policy DP18. Three on-site disabled parking bays are proposed to face Bonny Street, which are in accordance with the 1 space per 20 residential units outlined in the Council's Parking Standards. This provision is welcomed by the Access Officer and shall be secured in the S106 for disabled resident use only. The applicant has also committed to securing car club membership which shall be included in the S106 Agreement.

#### Cycles

- 6.32 In accordance with policy DP17 and Appendix 2 of the Camden Development Policies, 60 cycle spaces for residents and visitors (josta style) are to be provided in a secure 47sqm store located off the rear courtyard. The spaces will be secured by condition. With regards to the proposed commercial floorspace (96sqm of A1/A2/A3 and 111sqm of B1 use), both of which are below the 500sqm threshold for cycle parking provision and therefore no designated spaces are required.

#### Construction management

- 6.45 Given the significant demolition and construction works proposed on a large site located within a moderately sensitive location close to neighbouring residential properties, a TfL road and canal, a draft Construction Management Plan (CMP) has been provided in accordance with policy DP20. Objections have been received from Bonny Street residents seeking that no works whatsoever occur on Saturdays, however officers believe it would be unreasonable to alter the accepted working hours that are applied to all new developments in Camden and in similar contexts to this. These hours are restricted to 8:00 to 18:00 Monday to Friday and 8:00 to 13:00 on Saturdays with no work on Sundays or Bank Holidays.
- 6.46 To help ease the concerns of residents, the CMP confirms that the noisiest works (site clearance, substructure and superstructure formation) will occur on 2 hour on

2 hour off regime, and all noisy works will be discussed with the local residents in advance via the Residents Liaison Committee that they will be invited to join from the outset. These works are programmed to last no longer than 45 weeks, all works after that will be significantly less noisy as the structures will be enclosed.

- 6.47 Other measures outlined in the CMP include regular updates via newsletters being posted to residents, a 24 hour contact arrangement and registration with the Considerate Constructor Scheme (a non-statutory nationwide best practise initiative that goes beyond statutory requirements). Officers welcome all these measures and therefore recommend that the commonly accepted working hours do not require adjustment, moreover, to do so may be counterproductive as the development programme and associated noise would have to be extended significantly.

#### Servicing

- 6.48 The Transport Statement confirms that all servicing activity will be undertaken off-street in the central courtyard area utilising the existing vehicular access from Bonny Street. The courtyard will be landscaped to maximise soft landscaping whilst allowing access and egress in a forward gear for cars and vans, whilst larger vehicles will reverse off Bonny Street. It is estimated that the residential component will require 4-5 servicing trips a day, whereas the small commercial element will necessitate 1-2 deliveries per day. This is a relatively small number of trips that should not materially harm the amenity of existing and prospective residents. Further details on managing the deliveries and servicing of the scheme, with the objective of minimising the impact of service vehicle deliveries and mitigating environmental effects, will be secured in a Servicing Management Plan to form part of the S106 Agreement.

#### **Basement excavation**

- 6.49 Twyman House already contains a single storey basement level beneath its total built footprint. It is proposed to retain, reconstruct and partly extend this area towards Camden Road so that it becomes the new lower ground floor level of Blocks B and C to accommodate all the plant and refuse stores, with direct external access to the courtyard. No significant additional excavation is proposed, however in accordance with policy DP27, a Structural Report and Geo-Environmental Desktop Study has nonetheless been provided. This assessment has followed the standard approaches as outlined in Camden Planning Guidance.
- 6.50 With regards to surface flooding as the site is not located in an area identified at risk from surface water flooding, nor on a street that has suffered flooding in the past. No further flood investigation is required. Hydrological and Geological studies indicate that the minor excavation works will not impact on ground water flows, slope stability or the structural stability of neighbouring structures. Accordingly, no further studies are required beyond that what would be appropriately assessed and controlled by building control engineers during the technical detailed design stage of the lower ground level. The Environment Agency has raised no objection to the minor excavation works and officers consider the proposals policy DP27 compliant.

#### **Climate change**

6.51 Pursuant to Core Strategy policy CS13 and Development Policies DP22 and DP23 all developments in Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

#### Mitigation

6.52 This requires developments to make the fullest contribution to tackling climate change in the following hierarchy: firstly by minimising carbon dioxide emissions, adopting sustainable design and construction measures (be lean), secondly prioritising decentralised energy (be clean) and thirdly incorporating renewable technologies (be green). The Energy Strategy submitted broadly follows the energy hierarchy.

6.53 **Being lean:** A range of passive design features and energy demand reduction measures are proposed to reduce the carbon emissions of the development. These include well insulated building fabric, internal space heating with time and temperature zone control, all mechanical ventilation to have heat recovery technology, and intelligent lighting systems with 75% low energy. With these measures the development is estimated to achieve a reduction of 133.6 tonnes of CO<sub>2</sub> emissions per annum, or 24% beyond what would be expected for a 2010 Building Regulations compliant scheme.

6.54 **Being clean:** There are no nearby local energy networks, however, as one might become available in the future, the scheme's plant must be future proofed for connection to a network. This will be secured by the s106.

6.55 The applicant proposes to install a 30kW gas combined heat and power (CHP) unit to serve the hot water demand for the whole site. Overall, this CHP plant with community heating system would lead to a further reduction of 107.7 tonnes of CO<sub>2</sub> emissions per annum, or equivalent to 19.4% of the CO<sub>2</sub> emissions, or 18.8% beyond a 2010 Building Regulations compliant scheme. Wording in the S106 will secure the submission of an Air Quality Impact Assessment of the CHP emissions.

6.56 **Being green:** The Energy Strategy appropriately assessed all the renewable technologies and justified why each of those would or would not be appropriate for the development. This led to the conclusion that about 220sqm of mono-crystalline photovoltaic (PV) panels could be readily installed on the roof of Block B. These 27kWp PVs would provide the energy equivalent to approximately 20,150 kWh of electricity over a year, which equates to a reduction of 97 tonnes of CO<sub>2</sub> emissions per annum, or 26.9% beyond a 2010 Building Regulations compliant scheme.

6.57 In summary, there will be an overall reduction of 46.2% in regulated carbon emissions compared to a 2010 Building Regulations compliant development. This significantly exceeds the 20% reduction required by policy CS13 and shall be secured with the S106 Agreement.

#### Adaptation

6.58 This requires developments to minimise overheating and contribution to heat island effects, minimise solar gain in summer, contributing to flood risk reductions, including applying sustainable urban drainage principles, minimising water use and



protecting and enhancing green infrastructure. A Code for Sustainable Homes pre-assessment has been provided, which confirms that a rating of 'level 4' would be achieved. This positively exceeds the current policy DP22 requirement of 'level 3', and shall be secured within the s106 legal agreement. With regards to water conservation, the development would incorporate efficient fittings throughout such as low/dual flush toilets and aerated taps in accordance with policy DP23. The large areas of roof have positively facilitated the inclusion of rainwater harvesting technologies, this coupled with extensive soft landscaping in the courtyard and a green roof on Block A will ensure the sites achieves a good level of sustainable urban drainage.

**Biodiversity, trees and canal ecology**

- 6.59 Policy CS13 expects new developments to create new and enhanced habitat where possible, and to protect existing trees whilst promoting the provision of new trees and vegetation including additional street trees. There is one large London Plane (T1) within the site boundary, positioned in the south-eastern corner and the Arboriculture Report identifies this as a 'Category A' specimen tree with a high amenity value. As such this tree will be retained and fully protected. A further much smaller London Plane tree (T2) is located just outside the boundary, which is identified as 'Category C' specimen, and poses a risk to the existing buildings foundations. This tree has little amenity value and its removal would be required to facilitate the new pedestrian link to the canal. British Waterways support its removal, and officers agree that the benefits of greater canal access outweigh the trees retention, which has little amenity value in any case.
- 6.60 As well as the built structures, the site is predominantly concrete hard standing and therefore offers little biodiversity value, save for a Creeping Virginia on the canalside wall. Additionally, the site is located in area that is Deficient in Access to Nature Conservation areas (Core Strategy Map 8). As such, the proposals to plant 3 x Cherry Street trees along Camden Road and numerous birch trees in the proposed 3 x planting bed areas in the rear landscaped courtyard will be a welcomed improvement. Along with Block A's green roof, the proposed planting will greatly increase the biodiversity value of the site, which will help supplement the Regent's Canal as a habitat corridor. Tree protection, landscaping and green roof detail conditions will be attached to ensure this biodiversity is achieved and appropriately managed.
- 6.61 Given the site's location next to the canal, it is important that its sensitive ecology value appropriately assessed. Accordingly an Ecology Report has been provided. This report contains a Phase 1 Habitat Survey, which includes a bat survey undertaken in August 2010. This concluded that there was no bat activity on the site or on this stretch of canal. Nonetheless, in respect of the canals ecological value as a habitat corridor and potential for bats, the proposed external lighting will be limited to low luminance accent lighting to help prevent interference to wildlife. Light spillage from the canalside commercial units must also be carefully controlled, and therefore a lighting condition is attached requesting further detail in this regard. As the development would be to the northern edge of the canal towpath, then it will not materially harm the canals ecology value in terms of receiving sunlight. In summary, although this stretch of the canal has little ecological activity at present, the proposal is considered not to preclude its future improvement.

## **Noise and Air Quality**

- 6.28 Policy DP28 relates to the protection of existing and future amenity with regard to noise disturbance, and acknowledges that background noise levels in Camden are high in many areas, especially in central urbanised areas like this. Accordingly the applicant commissioned an independent Acoustic Report in accordance with PPG24. The only facade of concern is that facing Camden Road and the survey concludes that this facade falls within noise exposure category (NEC) C and D for day and night time respectively. PPG24 recommends that planning permission should normally be refused for NEC D. However this relationship is very common for residential development sites in urban London, moreover, the context of this road being already fronted by high density residential developments (Highstone Mansions) would make it very unreasonable to refuse the application. To help mitigate, officers have ensured that the majority of flats facing Camden Road are dual aspect which allows a secondary aspect to the quiet rear courtyard, and the noise conditions is attached to ensure Camden's internal noise levels are met for the future residents, as recommended by the Acoustic Report.
- 6.29 Protecting air quality in Camden is a key consideration especially along busy TfL roads. In accordance with policy DP32 the applicant has commissioned an independent Air quality Assessment in accordance with PPS23. The assessment concludes that the development will not give rise to a negative impact on air quality however air pollution emissions will be generated during the construction phase and during the operational phase through the use of the CHP gas boiler. A CMP and an appropriate condition, requiring the specification details of the proposed boiler and plant, are attached so these impacts are mitigated against.

## **Other Planning Obligations**

- 6.32 In addition to the contributions to affordable housing, open space, biodiversity, highways and that the proposal offers, the applicant has also agreed to a number of other obligations that include 15% of the construction workers being comprised of Camden residents, no less than two construction trade apprentices from the Kings Cross Construction Skills Centre being employed during the construction phase at any one time including a £5,000 contribution, £400,140 towards education and £60,740 towards community facilities. These obligations will help secure the necessary infrastructure improvements to meet the needs of prospective residents and should indirectly benefit the existing local community.

## **7. CONCLUSION**

- 7.1 The proposal represents a very desirable and sustainable opportunity to develop this much underused and vacant site within a highly accessible part of the borough. The proposed residential led use is supported in land-use terms to maintain a mixed and inclusive community in this part of Camden, and the resulting accommodation would be of a high quality and standard of design with access to excellent levels of outdoor amenity. The provision of much needed affordable housing, especially larger units for social rent, is particularly positive. The flexible A1/2/3 uses to front Camden Road and the towpath are welcomed to add vitality

and vibrancy to the area and will offer an excellent opportunity to provide inclusive access for persons to enjoy this stretch of the canal. The introduction of increased access to the canal from Camden Road is also welcomed and supported by British Waterways.

- 7.2 Considering the sensitive heritage, natural and residential constraints surrounding the site, the proposed design and appearance of the new buildings is both innovative and of a high quality that responds positively to the character and appearance of the conservation areas, the setting of nearby listed buildings and the canal itself. The proposed height, scale and massing is the result of a long and extensive pre-app and post app negotiation between officers, the applicant, architect and local residents and would fit in comfortably with the prevailing scale of existing buildings, particularly Shirley House and Highstone Mansions, so that the new buildings will strengthen and unify the townscape further. Furthermore, the new buildings would not cause any material harm to neighbouring privacy, daylight, sunlight and outlook, and there are strict conditions included to manage the impact of any A3 use proposed.
- 7.3 The proposal offers a very well balanced development, one that achieves the appropriate height and scale, optimum density and correct mix and quality of accommodation that enhances the character and appearance of the area.
- 7.4 The development is in accordance with relevant National and Regional Guidance, Core Strategy and Development policies and Camden Planning Guidance for the reasons noted above.

## 8. **RECOMMENDATION 1**

### 8.1 **Planning Permission is recommended subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:-**

- 1 On-site affordable housing.
- 2 Deferred Affordable Housing contribution.
- 3 Car-free housing.
- 4 Residential Travel Plan.
- 5 3 x disabled parking spaces linked to wheelchair access flats.
- 6 Car club membership.
- 7 Construction Management Plan.
- 8 Servicing Management Plan.
- 9 Public highway works contribution of **£20,000**.
- 10 Code for Sustainable Homes rating of 'level 4'.
- 11 Energy Strategy including CHP and 220sqm photovoltaic panels.
- 12 Future proofing for connection to a decentralised energy network.
- 13 Education contributions of **£400,140**.
- 14 Community Facilities contribution of **£60,740**.
- 15 Provision of publicly accessed external stair to canal from Camden Road.
- 16 Local procurement.
- 17 Employment and Training including contribution of **£5,000**.

## 9. **RECOMMENDATION 2**

**9.1 In the event that the S106 Legal Agreement referred to under recommendation 1 has not been completed within 13 weeks of the date of the registration of the application, the Development Control Service Manager be given authority to refuse planning permission for the following reasons:-.**

- 1 The proposed development, in the absence of a legal agreement to secure affordable housing or a Affordable Housing Deferred Contribution would fail to make a contribution towards the supply of additional affordable housing within the Borough, contrary to policies CS6 of the London Borough of Camden Core Strategy (2010), DP3 and DP4 of the London Borough of Camden LDF Development Policies (2010).
- 2 The proposed development, in the absence of a legal agreement to secure the non-wheelchair accessible residential units as 'car-free' housing, would be likely to contribute unacceptably to parking congestion in the surrounding area, contrary to policy CS11 of the London Borough of Camden Core Strategy (2010) and DP18 of the London Borough of Camden LDF Development Policies (2010).
- 3 The proposed development, in the absence of a legal agreement to secure a residential travel plan, would be likely to contribute unacceptably to use of non-sustainable modes of transport contrary to policy CS11 of the London Borough of Camden Core Strategy (2010), DP16 and DP17 of the London Borough of Camden LDF Development Policies (2010).
- 4 The proposed development, in the absence of a legal agreement to secure submission and implementation of a Construction Management Plan, would be likely to contribute unacceptably to traffic disruption and dangerous situations for pedestrians and other road users, and be detrimental to the amenities of the area generally, contrary to policies CS16 of the London Borough of Camden Core Strategy (2010) and DP20, DP26, DP28 and DP32 of the London Borough of Camden LDF Development Policies (2010).
- 5 The proposed development, in the absence of a legal agreement to secure submission and implementation of a Servicing Management Plan, would be likely to contribute unacceptably to traffic disruption and dangerous situations for pedestrians and other road users, and be detrimental to the amenities of the area generally, contrary to policies CS16 of the London Borough of Camden Core Strategy (2010) and DP20, DP26, DP28 and DP32 of the London Borough of Camden LDF Development Policies (2010).
- 6 The proposed development, in the absence of a legal agreement to secure contributions to ensure public highway works would be likely to harm the Borough's transport infrastructure, contrary to policies CS11 and CS19 of the London Borough of Camden Core Strategy (2010), DP16, DP17 and DP21 of the London Borough of Camden LDF Development Policies (2010).
- 7 The proposed development, in the absence of a legal agreement requiring for the development to achieve a minimum rating of 'level 4' under the Code for Sustainable Homes Assessment and attaining at least 60% of the credits in each of

the Energy and Water categories, and 40% Materials and to secure the energy efficiency measures detailed in the Energy Statement by RES dated June 2010, or future proofing for connection to a decentralised energy network, would fail to be sustainable in its use of resources, contrary to policy CS13 and CS16 of the London Borough of Camden LDF Core Strategy and DP22, DP23 and DP32 of the London Borough of Camden LDF Development Policies (2010).

- 8 The proposed development, in the absence of a legal agreement securing Education or Community Facilities contributions, would be likely to contribute unacceptably to pressure on the Borough's social infrastructure, contrary to policy CS10 of the London Borough of Camden Core Strategy (2010) and DP15 of the London Borough of Camden LDF Development Policies (2010).
- 9 The proposed development, in the absence of a legal agreement to secure local labour and procurement would fail to contribute towards the creation of local employment and business opportunities which reinforce neighbourhood renewal objectives and improve sustainability of the local economy, contrary to policy CS19 of the London Borough of Camden Core Strategy (2010).

#### 10. **LEGAL COMMENTS**

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