

|   |   |                              |
|---|---|------------------------------|
| <b>Address:</b>   | 6 Erskine Road<br>London<br>NW3 3AJ   |                              |
| <b>Application Number:</b>  | 2010/5214/P   | <b>Officer: Gavin Sexton</b> |
| <b>Ward:</b>  | Camden Town with<br>Primrose Hill   |                              |
| <b>Date Received:</b>   | 15/09/2010  |                              |
| <p><b>Proposal:</b> Extension of existing office accommodation (Class B1) to accommodate an additional (1473sqm) floorspace including the demolition and replacement of Block 5 with a part 2/part 3-storey building plus enlarged basement, a roof extension and alterations to the elevation of Block 3, roof extension and alterations to elevations of Block 3, alterations to the rear elevations of Leeder House and the caretakers' lodge and erection of four core blocks (providing circulation and services) between the caretakers lodge and Block 2 (3-storey), between Blocks 2 &amp; 3 (3-storey), between Leeder house and Block 5 (5-storey) and between Blocks 4 &amp; 5 (3-storeys).</p>  |   |                              |
| <p><b>Drawing Numbers:</b></p> <p>Site Location Plan; 100-00 Rev P4, -01 Rev P4, -02 Rev P4, -03 Rev P4, -04 Rev P4, -06 Rev P4, -B1 Rev P2; 220-01 Rev P4, -02 Rev P4; 250-01 Rev P4, -02 Rev P3, 03 Rev P3; 010-00 Rev P2, -01 Rev P2, -02 Rev P2, -03 Rev P2, -05 Rev P2; 010-B1 Rev P2; 020-01 Rev P2, -02 Rev P2; 050-01 Rev P2, -02 Rev P2; T01; Energy Strategy Dated Aug 2010; Outline Services Specification Dated Aug 2010; Security Management Plan; Air Quality Statement Dated Aug 2010; Ecological Survey and CSH Assessment Dated Aug 2010; Breeam 2008 - Preliminary Review Dated Aug 2010; Acoustic Report by ENTEC Dated Aug 2010; Daylight &amp; Sunlight Report Dated Sep 2010; Transport Statement Dated Aug 2010; Tree Survey / Arboricultural Statement Dated April 2009; Transport Statement Addendum dated 08/11/2010;</p> |   |                              |
| <p><b>RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and a S.106 legal agreement</b></p>   |   |                              |
| <b>Applicant:</b>   | <b>Agent:</b>   |                              |
| Durley Investments Corporation<br>c/o Agents  | Murdoch Associates<br>16 South Road<br>Bishops Stortford<br>HERTS<br>CM23 3JH |                              |

## ANALYSIS INFORMATION

| Land Use Details: |           |                 |                    |
|-------------------|-----------|-----------------|--------------------|
|                   | Use Class | Use Description | Floorspace         |
| Existing          | <i>B1</i> | <i>Business</i> | <i>2761sqm GEA</i> |
| Proposed          | <i>B1</i> | <i>Business</i> | <i>4234sqm GEA</i> |

| Parking Details: |                          |                           |
|------------------|--------------------------|---------------------------|
|                  | Parking Spaces (General) | Parking Spaces (Disabled) |
| Existing         | <i>12</i>                | <i>0</i>                  |
| Proposed         | <i>0</i>                 | <i>1</i>                  |

## OFFICERS' REPORT

**Reason for Referral to Committee: Major Development involving construction of more than 1000sqm of non-residential floorspace.**

### 1. SITE

- 1.1 The application site comprises a mews area with the main building on site known as 'Leeder House', which fronts onto Erskine Road and also 3 other low-rise buildings, known as Blocks 2, 3 and 5. A further Block 4 [which houses the Triyoga] is not included in this scheme. The site lies on the north eastern side of Erskine Road. Access to all buildings is via the mews, which is used by both pedestrians and vehicles.
- 1.2 The buildings are not listed but the site falls partially within the Primrose Hill Conservation Area (CA), with Leeder House and Blocks 3 and 4 in the east of the site within the CA. The site is mainly in office (class B1) use, and includes mainly design and sound recording/TV production studios. The area is surrounded by residential properties to its south-west, north and south-east, with shops and other business to the ground floor of the Regent's Park Road parade.

### 2. THE PROPOSAL

#### 2.1 Original

This application is a re-submission following a previous refusal. The changes from the previously refused scheme include:

- Revised design of new cores (materials, configuration, bulk and massing)
- Change to roof treatment of the office blocks
- The height of the ridge and rear parapet (facing King Henrys Road properties) for proposed Block 5 are unchanged from the refused scheme.

#### 2.2 Revision[s]

During the course of the assessment the applicant has revised the core designs as follows:

- Core 1 (rear of Leeder House): top floor link to Leeder House above eaves has been reduced in plan with a narrow link from stairwell to Leeder House at the top level. The stepped arrangement to the rear (North) elevation of the core has been simplified.
- Core 4: The plant room has been stepped back from the boundary with the rear of Regents Park Road properties.
- All cores: metal cladding removed from front of roof and roof now glazed
- Improved proposals for servicing

### 3. RELEVANT HISTORY

3.1 **2009/0970/P**: Planning permission was **refused** in Feb 2010 for “*Extension to existing office accommodation within use class B1 to include the demolition and replacement of Block 5 with a part 2/part 3-storey building plus enlarged basement, a roof extension and alterations to the elevation of Block 2, roof extension and alterations to elevations of Block 3, alterations to the rear elevations of Leeder House and the caretakers' lodge and erection of four core blocks (providing circulation and services) between the caretakers lodge and Block 2 (3-storey), between Blocks 2 & 3 (3-storey), between Leeder house and Block 5 (5-storey) and between Blocks 4 & 5 (3-storeys)*”. Reasons for refusal include:

- The proposed cores, by reason of their bulk, scale and materials, would have a detrimental impact on the character of Leeder House and the other buildings on the site and the character and appearance of the Primrose Hill Conservation Area
- The applicant has failed to adequately demonstrate that the proposed cores, by reason of their material, would not result in obtrusive light pollution to neighbouring residential properties to the detriment of the amenity of neighbouring residents
- The applicant has failed to adequately demonstrate that the proposed extensions, by reason of their height and bulk, would not result in loss of daylight and sunlight to neighbouring properties to the detriment of adjoining residential occupiers
- The applicant has failed to adequately demonstrate that the proposed plant would meet the Council's standards on noise and would therefore not be detrimental to the amenity of the nearest residential properties contrary
- Also reasons related to cycle parking, servicing, absence of S106 securing Construction Management Plan, Highways Works, contributions to open space, Green Travel plan, Bream and renewable energy.

3.2 **1999**: Permission granted for Block 4 (Triyoga block: not part of the current proposals) for a change of use to D1 uses, subject to restricted hours of operation and noise controls. The use has given rise to a number of refusals, appeals and

enforcement cases over recent years, stemming from noise nuisance and hours of operation:

- **2002** permission was refused (PEX0001043) for variation of condition to extend weekend hours from 0630 to 1800 weekends to 0800 to 2030. This decision was appealed and allowed in part to extend opening hours on a weeknight to 2130 but remained unchanged on weekends at 1800.
- **May 2003:** A further application (PEX0201054) was refused for varying the condition relating to hours of opening from between 0630 and 1800 Saturday and Sunday to between 0800 and 2030 hours on Saturdays and Sundays. The appeal was allowed (March 2004) for extension of opening hours to between 06.30-21.00 hours Monday to Friday, and 08.00-20.30hours Saturday and Sunday. Certain conditions were added to the Inspectors' decision including; "2) All windows facing the rear of adjacent properties in King Henry's Road shall be kept shut while any activities (including cleaning) are taking place at the yoga institute after 18.00 hours on Saturdays and Sundays." And "3) Blinds to all glazed areas facing the rear of adjacent properties in King Henry's Road shall be kept drawn while any activities (including cleaning) are taking place at the yoga institute with lights on, after 18.00 hours on Saturday and Sunday."
- Enforcement cases were opened (June 2001 : EN010420), Sept 2006 (EN06/0765) and no enforcement action taken
- **January 2007:** A Breach of Condition Notice was served on Triyoga requiring that no music be played on the premises in such a way as to audible within any adjoining premises or on the adjoining highway. Breach then ceased.
- **July 2007** Enforcement case opened (EN07/0521): no enforcement action taken.
- **August 2009:** Enforcement further complaints (En09/0546) were received regarding breaches of condition. Following meeting on site with the owner where it was claimed that drum class is held in neighbouring building and all teachers are informed about conditions and warning letters sent, it appears that breach has ceased.

#### 4. **CONSULTATIONS**

##### **Statutory Consultees**

4.1 None.

##### **Conservation Area Advisory Committee**

4.2 Primrose Hill CAAC Object/comment as follows:

CAAC noted that it had not objected to the scheme submitted in 2009

##### **Leeder House:**

- Seek redesign of junction between core and eaves/pitched roof of Leeder House. Details should be provided before any consent is granted and be subject to condition. Mix of materials on elevations adds prominence to the core which should be more visibly subservient to Leeder House.
- Advise redesign of core 1 damages relationship to the main building. Stepped forms are clumsy and junction to the eaves and pitched roof of Leeder House are awkward. Advise that simplification of forms and materials should be sought. (e.g. windows could be located to face block 5 rather than King Henry's Road to avoid light pollution to houses in King Henry's Road)
- Prominence and importance of Leeder House in the Conservation Area justifies greatest care work directly affecting its character and appearance, especially as rear is clearly visible from the open-access yard.

#### **Lodge and Core 4:**

- Welcome improved design in relation to the 'lodge' building on Erskine Road and further setting back of core 4. However concerned to see height of core now 9.4m instead of 8.6m (as per 2009 scheme). Note that lift could be omitted in part or whole from core 4.
- Views from Erskine Road over the roof of the Lodge are of great importance and should not be harmed by the height of core 4.

#### **Block 2:**

- Concerned about height above the roof level of the photovoltaic cells on the roof of Block 2. Given their orientation, what impact will they have on habitable rooms in the main terrace on Regent's Park Road?

### 4.3 **Adjoining Occupiers**

|   | <b>Original</b> |
|---|-----------------|
| <i>Number of letters sent</i>             | 127             |
| <i>Total number of responses received</i> | 14              |
| <i>Number of electronic responses</i>     | 12              |
| <i>Number in support</i>                  | 0               |
| <i>Number of objections</i>               | 14              |

- 4.4 Responses received from nos. 3, 9 (Flat 1), 11, 13, 15, 17 (flat a), 19, 19a, 25 (Flat a), 25, 27 King Henry's Road, no. 101 Regents Park Road, Triyoga and Unit 2 (within 6 Erskine Road complex), The main issues raised in these responses are as set out below:

### 4.5 **Noise and amenity**

- Noise from Triyoga creates regular nuisance during evenings, despite Council Noise Team intervention. Windows overlooking rear gardens should be unopenable to avoid further nuisance and noise impact of enlargement of units should be regulated.
- Increase in people movement would add to noise pollution and lack of privacy
- Construction period of 42 weeks likely to be disruptive and noisy to residents. Are these works likely to lead to longer construction working hours?

- Core 2 and Block 5 will box in rear of King Henry's Road with loss of privacy, obstruction of natural light and light pollution from new buildings.
- Concerned about impact of construction on users of active premises on site
- Overlooking into rear of Regents Park Road.
- Request a condition to obscure glaze/fix shut windows and provide high level ventilation for toilets in core 1
- Support reduced window size on core 1 facing King Henry's Road

#### **4.6 Impact on light**

- Garden level flats on King Henry's Road omitted from light considerations.
- Plans appear unaltered from previous proposal so maintain objection to impact on sunlight and privacy of nearest properties on King Henry's Road
- Raised height would impact on sky views from garden level flats on King Henry's Road
- Proposals change special and unique village feel of area, further exacerbated by increased activity of tenants
- Presence of core 2 will reduce daylight to 17, 19, 21 King Henry's Road.

#### **4.7 Plant**

- Exposed plant at roof level would be unsightly and noisy.
- Concerned that further plant may be required with no consideration of impact at this stage
- 10db below ambient noise levels would be more appropriate noise restriction than 5db below
- Request no additional plant on flat roofs

#### **4.8 Design**

- Design out of character.
- Widespread use of metal cladding not appropriate and would change character of area.
- Removal of projecting cores to Block 2 will ruin architectural vernacular of building
- Proposed height of Blocks 2 and 5 is out of proportion with architecture of buildings.
- Enlargement of Blocks 2 and 5 will create darker more intimidating courtyard
- Adjoining houses will look out onto taller buildings not in keeping with local character

#### **4.9 Other**

- Development should provide 20% renewables on site
- Question feasibility of solar panels on roof facing Regents Park road due to overshadowing
- Rights to light at rear King Henry's Road should be maintained.
- Development would impact on property values
- Security issues: have never seen any security issues in 8 years of occupation and all may be dealt with by way of CCTV and improved lighting.
- Loss of parking will increase local demand for spaces
- Request no parking permits for occupants of development .

- Area is designated for residential not commercial

#### **4.10 Thames water**

Advise that a non-return valve or other protection device should be installed to avoid a risk of backflow at a later date.

State it is the responsibility of the developer to make proper provision for drainage to ground, water course or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the public network through on or off site storage. Where it is proposed to discharge to a public sewer prior approval will be required from Thames Water.

### **5. POLICIES**

#### **5.1 LDF Core Strategy and Development Policies**

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS8 (Promoting a successful and inclusive Camden economy)

CS11 (Promoting sustainable and efficient travel)

CS13 (Tackling climate change through promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity)

CS16 (Improving Camden's health and well-being)

CS17 (Making Camden a safer place)

CS19 (Delivering and monitoring the Core Strategy)

DP1 (Mixed use development)

DP13 (Employment sites and premises)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and the availability of car parking)

DP19 (Managing the impact of parking)

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)

DP27 (Basements and lightwells)

DP28 (Noise and vibration)

DP29 (Improving access)

DP31 (Provision of, and improvements to, open space, sport and recreation)

DP32 (Air quality and Camden's Clear Zone)

## 6. ASSESSMENT

6.1 The existing application buildings comprise 2761sqm (GEA) of office space. The proposals seek to add a further 1473sqm (GEA) floorspace in the form of circulation cores and additional floors to Blocks 2 and 5, bringing the total to 4234sqm (GIA). The floorspace of Block 4 (Triyoga) is not included in these figures.

6.2 The main considerations in this application are as follows:

- Land Use : principle of additional floorspace
- Design & conservation
- Amenity of occupiers and neighbours
- Transport
- Trees and biodiversity
- Sustainability
- Open space
- Contamination
- Regeneration
- Access
- Waste
- Community safety

### **Land use: principle of additional floorspace**

6.3 The current proposals have evolved from an original approach by the applicant, who was seeking the redevelopment of the site. Camden officers sought to retain the employment uses and preferred refurbishment of existing buildings to their removal. This latest application has been submitted to address the reasons for refusal in the decision earlier this year.

6.4 The proposals seek to rationalise and enlarge the existing employment spaces on site and to ensure that the resultant spaces improve their flexibility in terms of letting options. The site is accessible by a choice of means of transport, being located close to two railway stations and also to Chalk Farm underground station. As the proposals involve an extension to an existing facility, the existing routes and access to the site for employees have already been established. In principle, the provision of new office floorspace is considered acceptable in the context of Policy DP13 which seeks to retain employment uses.

6.5 Policy DP1 encourages the provision of a mix of uses within developments. The application site is outside of the designated Town Centres where 50% of additional floorspace would be sought as housing. In this instance the additional floorspace is provided as follows:

| <b>Building</b> | <b>Existing GEA (sqm)</b> | <b>Proposed GEA (sqm)</b> | <b>Comments</b>      |
|-----------------|---------------------------|---------------------------|----------------------|
| Leeder House    | 878                       | 798                       |                      |
| Block 2         | 1042                      | 1343                      |                      |
| Block 3         | 286                       | 311                       |                      |
| Block 5         | 465                       | 886                       | 250sqm additional in |



|                  |             |                |                                |
|------------------|-------------|----------------|--------------------------------|
|                  |             |                | basement                       |
| Lodge            | 90          | 63             |                                |
| <b>Sub-total</b> | <b>2761</b> | <b>3402</b>    | <b>641sqm GEA increase</b>     |
| Cores 1,2,3,4    | 0           | c.770          |                                |
| <b>Total</b>     | <b>2761</b> | <b>c. 4234</b> | <b>c. 1473sqm GEA increase</b> |

- 6.6 The re-configuration of the employment spaces on site increases the net lettable floorspace by c.1000sqm, excluding approx 250sqm basement floorspace in Block 5 which may be required for ancillary storage space due to the proposed limited daylight levels. However, the table demonstrates that in terms of the development proposals approx 55% (c.770sqm) of the total floor increase (c.1473sqm) arises from the addition of the cores which exist to support access to the office floors and provide toilets and showers for the occupants.
- 6.7 Policy DP1 states that the Council will seek a mix of units on site depending on the context of the site and various characteristics of the development. As shown above, the majority of the uplift in floorspace arises from adding circulation cores and basement space, neither of which would be appropriate for supporting a secondary use. Removing this floorspace from the gross uplift would put the development at 772sqm GEA, below the mixed-use floorspace threshold of 1000sqm.
- 6.8 As set out in the site history the additional D1 use on site (Triyoga) gave rise to a long running series of complaints and enforcement activities arising from noise nuisance to the neighbouring dwellings. It is considered that additional B1 floorspace is an appropriate use to maintain on the site, by virtue of its relatively low-key operational impact on residential amenity. The site's backland location presents difficulties for the provision of other uses on site, particularly on the upper floors where maintaining the privacy of the surrounding neighbouring dwellings would be an issue.
- 6.9 The existing mix of uses on the site is an appropriate one, and the introduction of further secondary uses may give rise to compatibility issues. Furthermore, officers have consistently supported the retention of employment uses on the site which runs contrary to the prevailing pressures on land use in Primrose Hill where employment uses are regularly eroded by the preference for housing due to the high residential values locally. The retention of employment uses also supports the mixed-use character of the wider area and potentially reduces the need for local people to travel distances to employment spaces elsewhere.
- 6.10 Overall the proposals accord with policy DP1 and the provision of secondary uses either on site or through an exceptional payment-in-lieu would not be considered appropriate for this development.

### **Design and Conservation**

- 6.11 The proposal involves the demolition and rebuild of Block 5; a roof extension to Blocks 2 and 3 and the insertion of vertical circulation and service facilities (WCs

etc) in the form of new external cores to maximise the lettable space provided by the revised floor plates in the office buildings.

- 6.12 Leeder House and Blocks 2 and 3 fall within the Primrose Hill Conservation Area (CA). Block 5 is proposed for demolition but is outside the CA and therefore Conservation Area Consent is not required.
- 6.13 Block 5 This block is on the left hand side as you enter the courtyard from Erskine Road. It is a single-storey building with a pitched tiled roof and is not attached to other buildings in the yard. The proposal is for a 3-storey replacement building with basement, covering approximately the same footprint, with the new core 2 to the North. Ground and 1<sup>st</sup> floors would be rendered with pairs of glazed openings facing into the courtyard providing scale and rhythm to the building. The 3<sup>rd</sup> floor would be a lightweight attic storey with largely glazed elevation which picks up the rhythm of the lower floors. A raised parapet and glazed balustrade contribute to making the 3<sup>rd</sup> floor elevation more visually recessive on the courtyard elevation than in the previously refused scheme and are acceptable in design terms.
- 6.14 The 3<sup>rd</sup> floor provides gallery accommodation within the steeply pitched slate roof facing the properties on King Henry's Road to the rear. The proposed building would be approx. 2.2m taller than the existing at the peak and approx 1m taller at the rear parapet. These dimensions are unchanged from the refused scheme.
- 6.15 The design of this building is considered to be generally in keeping with the existing character of the mews and would not be detrimental to the character and appearance of the mews and the adjoining CA.
- 6.16 Caretakers Lodge: The lodge is a single-storey pitched roof building which frames the entrance way with Leeder House. It presents a rear elevation to Erskine Road. It is to be extended at ground floor level on the courtyard side to incorporate a small office suite or porters lodge with cycle and refuse storage attached. Previous proposals to enlarge and extend the courtyard roof form have been omitted from the scheme and hence the alterations to the lodge would be largely invisible from the street. The proposed alterations to the lodge are acceptable.
- 6.17 Blocks 2 & 3: These building would retain the double bay rhythm on the lower floors and would have a lightweight upper storey added in an idiom to match the attic storey of block 5 opposite. This approach is typical for commercial development of this type, and picks up on contextual elements of the retained buildings and the commercial complex generally.
- 6.18 Cores: The previous scheme proposed a lightweight approach to providing ancillary circulation cores with 'pod' like facilities supporting the office floors. However, they were considered to be poorly arranged, too large and unrefined in detail. The cores have been revised since the refused scheme, and again during the course of the assessment of this application.
- 6.19 The final proposals would retain the lightweight appearance facing the courtyard with full height glazed atria providing visible circulation space and clearly legible

entrances to the buildings. Core 4 behind the caretakers lodge has been revised in bulk and size and while taller in part than the refused scheme it is considered that its visual impact in street views and from within the conservation area has been minimised to an acceptable degree.

- 6.20 Core 1 has been reduced significantly on plan and the forms have been simplified to the rear. The above-eaves link from the stairwell to the roof accommodation in Leeder house has been reduced to the width of the doorway and is now acceptable as the minimal intervention necessary at that level. The rear of the cores would be stepped in elevation and clad in metal with small punched hole windows to provide daylight for toilets and other facilities.
- 6.21 The detailing of the cores, the materials and their junctions would be secured by condition. Overall the cores have been refined to an acceptable degree. They take a lightweight approach to their interface with the buildings, would preserve the character and appearance of the Conservation Area and are now acceptable in accordance with policies DP24 and DP25.

**Amenity occupiers and neighbours: Daylight/sunlight**

- 6.22 The site is surrounded by residential properties in close proximity to the existing buildings. These place considerable constraints on the enlargement or intensification of development on site. The removal of the unsightly fire escape stairs to the rear of Leeder House would be an improvement that would be visible from within and without the site. The replacement circulation core has been designed to minimise its impact on sunlight and daylight to the nearest properties along King Henry’s Road. A daylight and sunlight report accompanying the application identifies a number of residential windows on the rear of King Henry’s Road which would see changes to light levels arising from the development of the core at the rear of Leeder House.
- 6.23 The report assesses the impact on Vertical Sky Component (VSC) and Annual Probable Sunlight hours (APSH) and concludes the following:

|                         | VSC                                  | APSH  | Comment  |
|-------------------------|--------------------------------------|---|--|
| <b>King Henrys Road</b> |                                      |   | <b>Residential properties</b>                          |
| 27                      | Increased                            | Increased   |  |
| 25                      | -4 to -12.9% at gnd/1 <sup>st</sup>  | Gnd: 31/3 to 27/1 at one window<br>1 <sup>st</sup> : 41/4 to 39/1 | Room1 served by two windows                            |
| 23                      | -2.6 to -9.5% at gnd/1 <sup>st</sup> | Gnd: 39/6 to 36/4<br>47/10 to 41/5                                |  |
| 21-17                   | -1.2 to -2.6% at 1 <sup>st</sup>     | Minor reductions  | Ground floor not assessed due to distance from core 1. |
|                         |                                      |   |  |
| <b>Regents</b>          |                                      |   | <b>Gnd floor : commercial</b>                          |

|                  | VSC   | APSH | Comment   |
|------------------|---|------|---|
| <b>Park Road</b> |   |      | <b>Upper floors: residential</b>                                    |
| 109-101          | -6.2% to -10.2%                                 | N/A  |   |
| 99               | -6.2% at 1 <sup>st</sup>                        | N/A  |   |
| 97-95            | -4.5% to -9.6%<br>gnd/1st                       | N/A  |   |
| 93               | -21.2 to -24% in one<br>room at 1 <sup>st</sup> | N/A  | Worst affected rooms<br>thought to be bathroom<br>and stair landing |
| 91               | -1.9 to -3.5% at 1 <sup>st</sup><br>floor       | N/A  |   |

- 6.24 The report concludes that the addition of the core to the rear of Leeder House would result in the ground and first floor rear windows of nos. 25 and 23 King Henrys Road experiencing reduced VSC and APSH. However, in all cases they would continue to receive in excess of 80% of existing VSC as recommended by the BRE, beyond which the BRE states that further reductions would become more noticeable. Total sunlight hours would also be maintained above the 25% figure recommended by BRE, although two windows in no. 25 would see existing winter hours (which are below the recommend 5%) further reduced to 1%. Objectors have commented that the ground floors of nos. 21 to 17 King Henry's Road have not been included in the daylight assessment, but this is because the main impact arises from Core 1 and not the raised roof height of Block 5. Previously submitted sections demonstrate that core 2 and the additional storey to Block 5 would sit well below the recommended 25degree reference line from the rear ground floor of no. 21 King Henry's Road with consequent limited and acceptable impact on daylight.
- 6.25 Windows to the rear of properties in Regents Park Road are south of the proposals and so no test for APSH was required. The proposals to raise the height of Blocks 2 and 3 and the insertion of their supporting cores would also give rise to reductions in VSC but in all but one case the figure would remain above 80% of the existing. In the case of no. 93 Regents Park Road, two windows apparently serving a bathroom and adjacent landing would see a reduction below 80% of existing. It is considered that the secondary uses served by these windows are of less significance when assessing the resultant light levels.
- 6.26 During the assessment of the application, the bulk and massing of Core 1 has been refined and reduced in order to simplify the form and appearance of the core and its impact on the host building (Leeder House). Furthermore, the plant room above Core 4, closest to no. 93 Regents Park Road, has been scaled back from the boundary. These changes have not been subject to further daylight/sunlight assessment but, as they represent a general reduction in bulk and form, it is considered that they are likely to improve rather than worsen the impact on the nearest neighbours.
- 6.27 Core 2 would be infill and existing carparking area within the courtyard. It would be approx 15m from the rear elevation of the nearest residential property at 19 King Henrys Road. Its height would fall well below the 25degree line recommended by

BRE as appropriate for minimising the impact on daylight to the residential property.

- 6.28 The proposals would have limited impact on all but a small number of individual windows, as discussed above. Overall it is considered that this impact is acceptable and the scheme complies with DP26 with respect to light amenity.

**Amenity occupiers and neighbours: other issues: Overlooking**

- 6.29 The windows facing the residential properties on the rear of Blocks 2, 3 and 5 and their accompanying cores would be either high level or opaque. A condition would be sought to ensure that they remain obscure glazed and fixed shut to a height of 1.7m.

**Noise from Plant**

- 6.30 Four areas of plant are proposed. One would be in the basement of Block 5. Two would be at 1<sup>st</sup> floor level within Cores 4 and 3, and the fourth would be at 1<sup>st</sup> floor level within Core 2. With the exception of the basement plant which has no noise breakout, all areas of plant would be open to the sky but horizontally shielded by acoustic louvers from the nearest habitable rooms. Environmental Health officers have confirmed that spreadsheet calculations have been provided to demonstrate that the plant items meet the target criterion for daytime use when with mitigating measures are applied as cited in the acoustic report. These measures would ensure that the Council's noise standards are met during daytime use and the standard noise condition would be added.

- 6.31 However, the condensing units would have to be set back electronically, prior to use, to operate under night time conditions for them to meet the night time criterion and satisfy Camden's noise conditions during the hours of 19:00 to 07:00. This would be secured by condition. In the event that further plant is required by the occupants they would planning permission for its installation.

**Noise from activities on site**

- 6.32 It is acknowledged that the D1 Triyoga use at the rear of the application site has given rise to considerable noise complaint from local residents. However as set out above in the land use assessment, the increased intensity of office uses on the site is not expected to give rise to further operational noise issues. The movement of occupants arriving and leaving office uses would typically arise at the same hours as other movement activity locally (morning and evening rush hour and lunchtimes) and is consistent with an inner city neighbourhood such as Primrose Hill. It is not considered reasonable or necessary to control the hours of operation of the office uses.

**Light pollution**

- 6.33 Concerns have been raised about the potential of the development to produce light pollution due to its proximity to neighbouring dwellings. The previous application had Reglit panels wrapping the cores, and this was considered to be likely to give rise to light pollution. The current proposals have replaced the Reglit with metal cladding to the rear of the cores with small, obscure glazed, high level slot windows to provide natural light to the toilet facilities. These elements would not give rise to light pollution.

6.34 The fully glazed core elevations to the courtyard would be likely to emit light but would be at least 25-30m from the nearest habitable rooms and therefore light pollution will not be an issue. The additional storey to Blocks 2 and 3 would be finished in solid opaque (neither translucent nor transparent) glass finished panelling which would not emit light to the properties on Regents Park Road. The proposals therefore comply with policy DP26.

#### **Transport: Construction Management Plan**

6.35 The site is located on Erskine Road near Primrose Hill. There is currently vehicular access to the site from Erskine Road and it is proposed to remove all parking on site with the exception of a disabled space. The Transport Statement (TS) accompanying the application identifies that the Public Transport Accessibility Level (PTAL) rating of 2 (poor) assigned by TfL is inaccurate and does not take account of the nearby road bridge crossing the railway. The TS revises the PTAL to a more accessible 3 (moderate) which has only a minor impact on considerations and is accepted.

6.36 A submitted addendum to the TS revises the assessment of modal trip-rates arising from the completed development. It indicates that the uplift in pedestrian and public transport activity would be of the order of 100 trips per day with c.10 additional trips taken by bicycle and reduced trips by private car. The addendum is based on case examples of locations with similar PTAL ratings (2-4) and the figures are accepted as reasonable.

#### **Transport: Cycle parking**

6.37 Cycle parking for 23 bicycles has been indicated as provided at ground floor to the rear of the caretakers lodge. The provision would be secure and covered and a condition would be added requiring details of their design and securing their provision prior to first occupation.

6.38 A Travel Plan (TP) has been provided which is based on the originally submitted (incorrect) Transport Statement modal trip estimates. A revised Travel Plan would be secured by S.106 legal agreement which clarifies certain points relating to

- extent and methods of securing car sharing, which should not be promoted at the expense of public transport, cycling or walking,
- methods to encourage public transport usage
- inclusion of opinions and views from occupants on modes and travel patterns

#### **Transport: Parking**

6.39 A single disabled parking bay would be provided as the only on-site parking, which is welcomed. The site is within a Controlled Parking Zone with hours of control between 08.30 and 18.00 and therefore office staff will not be able to park in the vicinity, so parking stress is unlikely to be affected.

#### **Transport: Construction, Servicing & highways works**

6.40 The applicant has provided a draft Construction Management Plan (CMP) with the application however there are a number of issues with it which will need to be addressed. These include:

- an indication as to how the applicant intends to protect trees and street apparatus during the construction works proposed on Leeder House.
- The proposals will require parking suspensions on both sides of Erskine Road as it is a relatively narrow street.
- Size of all vehicles and the frequency and times of day when they will need access to the site, for each phase of construction. Vehicle sizes need to be restricted given the access issues and roads in the locality are predominantly residential;
- Clarity on proposed logistics route to and from the site.
- Access arrangements for construction vehicles to the site.
- Swept path drawings for any tight manoeuvres on vehicle routes to the site.
- Evidence and details of consultation on a draft CMP with local residents, businesses, local groups (e.g. residents/tenants and business associations) and ward councillors.

6.41 It is proposed that all servicing of the site would take place in a similar manner to the existing arrangements where vehicles arrive at the site and unload within the courtyard or entrance way. Swept path drawings of van manoeuvres have been provided which demonstrate that delivery vehicles may enter and exit the site in a forward gear. The constraints of the site are such that a Service Management Plan (SMP) will be required to provide further details of how the servicing will be undertaken to minimise the impact on the local highway network. The SMP and CMP would be secured by S106 legal agreement.

6.42 A financial contribution is required to repave the footway adjacent to the site and remove the vehicular crossover. This will need to be secured through a S.106 Legal Agreement with the Council. This S.106 obligation should also require plans demonstrating interface levels between development thresholds and the Public Highway to be submitted to and approved by the Highway Authority prior to implementation. The Highway Authority reserves the right to construct the adjoining Public Highway (carriageway, footway and/or verge) to levels it considers appropriate.

### **Trees & Biodiversity**

6.43 An Arboricultural Statement has been provided which identifies the closest tree to the construction as 1x off-site Acacia circa 15m to the north-west of the demolition works. The tree will not be affected by the proposals. Green roofs are indicated for areas of the roofscape and further details full details of their construction, planting and maintenance would be secured by condition.

6.44 An ecological survey assessment of the site found that the site is of low ecological value being comprised solely buildings and areas of hardstanding. Whilst it is acknowledged that the site is predominately built-up, Camden's records show that there are bats recorded within 200m of the site at Adelaide Local Nature Reserve. There are two SNCI's nearby: Adelaide Local Nature Reserve, and Primrose Hill. The assessment finds that the likely presence of bats on site has high potential but low probability. The survey recommends that a bat survey be conducted in accordance with Bat Conservation Trust best practice guidance. It also makes other biodiversity recommendations such as inclusion of nesting boxes which would be secured by condition.

- 6.45 Other than the proposed inclusion of elements of green roofs on site, the development would result in limited opportunities for improved habitat or opportunities for flora. However, the constraints of the site are such that the proposals, modest though they are, are acceptable and accord with policy CS15.

### **Sustainability**

- 6.46 All schemes that require a BREEAM assessment are required to meet a minimum 'Very Good' rating. Camden's CPG also goes beyond the minimum 'Very Good' score in requiring a minimum 60% score in each of the energy and water categories of the assessment, and a minimum 40% in the materials category. The applicants' pre-assessment report suggests that the scheme will achieve a Very Good rating, which is welcomed. The assessment also highlights that the development can achieve the minimum scores in the energy and materials sub-categories however the expected score in the water category only reaches 50%. However only one more credit out of total of 7 is required in order to achieve the 60% sub-target and this is considered to be achievable.
- 6.47 In order to ensure that proposed measures for sustainability are secured and the required BREEAM rating is achieved in the final scheme a BREEAM post-construction report would be required via a legal agreement.
- 6.48 Renewable Energy: Policy CS13 expects all developments to meet the highest feasible environmental standards during construction and occupation and for designs to minimise the carbon emissions by following the energy hierarchy of energy reduction, efficiency and then finally providing renewables. The policy seeks for all development to provide for the generation of renewable energy on site unless circumstances make this unfeasible. The expectation for a development of this scale is that 20% of energy requirements would be provided through renewable energy sources.
- 6.49 The applicants' energy assessment does not set out the details of how the development would follow the energy hierarchy but concludes that an overall 11.95% reduction in CO<sub>2</sub> emissions through the use of renewable energy technology. A number of renewable energy technologies have been assessed to meet this requirement, and the conclusion from the submitted report is that photovoltaics will be most suited to the site and its surrounds. The photovoltaic panels would be fitted to the flat roof of block 3 and would need to be angled to c.30degrees to optimise their use. This would have limited impact on the appearance of the building or on neighbouring amenity. While the proposals fall short of the 20% policy requirement the Energy Strategy does state that this provision may be improved upon through further investigation of alternative solutions, such as the potential for gas heating if the buildings can be naturally cooled. As the development involves extensive refurbishment of existing buildings in a constrained site it is considered that the target of 20% may be difficult to reach. However a more detailed assessment of the final energy approach will be secured by s106 including a more comprehensive demonstration of the energy hierarchy approach to development. A target of 20% renewables will also be retained as a head of term.



### **Provision of public open space**

- 6.50 This site is located in an area of more limited change as identified by Policy CS4. Policy DP1 states that in such areas the Council will ensure that development in these areas respects the character of its surroundings, conserves heritage and provides other environmental benefits. We will expect major developments to deliver improvements to walking routes, make contributions towards regeneration and the provision of open space and other community facilities where there are local deficiencies. An extension to an existing office occupier may have a beneficial impact on the local economy. It is considered appropriate to seek a contribution of £18537 to open space based on addition of 1473sqm gross, in accordance with the calculations set out in CPG chapter 39.

### **Land contamination**

- 6.51 As this site has a historical use as vehicle garage and repairs it is considered that the site has a high risk for contamination and thus a condition would be added requiring a site investigation for contamination potential, in accordance with DP26.

### **Regeneration**

- 6.52 The applicant has agreed to sign up to Camden's local employment and local procurement initiatives via a S.106 legal agreement. This is a "reasonable endeavours" clause which does not require the applicant to pay a financial contribution to the Council, but requires the applicant to co-operate with the King's Cross Construction Skills Centre and the Council's local procurement initiative in relation to the recruitment and procurement of goods and services during the construction phase of the development.

### **Access**

- 6.53 Where the building is to be extended or altered any new or altered feature should be suitably designed to meet the guidance in Approved Document M. In addition the new building should be fully accessible in respect of the requirements of Approved Document M. Floor levels have been adjusted to provide an accessible gradient of 1:20 or better throughout the site. Within the buildings the floorspace would all be fully accessible with lifts and disabled facilities provided throughout. In order to ensure optimal accessibility the external ground surfacing should be chosen to be accessible to all and an informative would be added to this effect for consideration when preparing the landscaping details. The proposals accord with policy DP29.

### **Waste Storage**

- 6.54 The proposed waste & recycling storage facilities are proposed to the rear of the Caretakers' lodge. These are considered acceptable in principle and comply with policy DP26.

### **Safety in the Community**

- 6.55 The main entrance way would become gated with out of hours access provided via a fob scheme and entryphone system as there is unlikely to be an on-site porter. Design details of the gate would be sought by condition. The development proposals raise no specific concerns regarding community safety and the Metropolitan Police Crime Prevention Design Adviser's comments have been

incorporated into the design proposals. As such, the proposal is considered to comply with policy DP29 and no concerns are raised by the Council.

## 7. **CONCLUSION**

7.1 Notwithstanding the pressures within the borough for housing, the proposals for retention and enlargement of flexible business units within the site are a welcome change from the usual erosion of such uses within the area. The business units would contribute to the mixed use character of the area and would likely benefit the local economy without significant detrimental impact to neighbouring residential amenity.

7.2 Planning Permission is recommended subject to a S106 Legal Agreement to secure the following heads of terms:

- **Construction Management Plan**
- **Service Management plan**
- **Contribution towards Public Open Space**
- **Highways works**
- **Green Travel Plan**
- **BREEAM Very Good**
- **Energy plan and target of 20% on-site renewables**
- **Local labour and procurement**

7.3 In the event that the S106 Legal Agreement referred to above 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 reason of a lack of legal agreement to cover the following issues- Construction Management Plan, Service Management Plan. Contribution towards Public Open Space, Highways works, Green Travel Plan, BREEAM Very Good, Energy plan and 20% on-site renewables, Local labour and procurement

## 8. **LEGAL COMMENTS**

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