

Address:	68A Delancey Street4 London NW1 7RY	
Application Number:	2010/2288/P	Officer: Max Smith
Ward:	Camden Town with Primrose Hill	
Date Received:	27/04/2010	
Proposal: Erection six blocks comprising a mix of one, two and three storey buildings with lower ground and basement levels for 8 commercial units (Class B1), 2 live/work units (Sui Generis), and 5 self-contained residential units (Class C3) (following demolition of existing two storey buildings).		
Drawing Numbers: Site Location Plan; DSC2/1/E/A104; A103; A102; A101, A100; A201; A202; A203; A204; A301; A302; DSC2/1/P/A111; A112; A113; A114; A115; A116; A121; A122; 1205-001; DSC2/1/P/A211; A212; A213; A214; A311; A312; A313; A314. Hydro-geological Review April 2010; Environmental Noise Survey 16121/PNAI.2; Sustainability Report for Planning Version 2.0.; Development Site Tree Report dated 19th April 2010; Code for Sustainable Homes Pre-Assessment by Price and Myers; Structural Engineering Report by Symmetrys Limited.		
RECOMMENDATION SUMMARY: Grant planning permission subject to a S.106 Agreement.		
Application Number:	2010/2289/C	
Proposal: Demolition of existing two storey office buildings.		
Drawing Numbers: Location Plan; DSC2/1/E/A104; A103; A102; A101; A100; A201; A202; A203; A204; A301; A302; DSC2/1/P/A111; A112; A113; A114; A115; A116; A121; A122; DSC2/1/P/A211; A212; A213; A214; A311; A312; A313; A314.		
RECOMMENDATION SUMMARY: Grant conservation area consent		
Applicant:		Agent:
Westheath Projects Limited		DP9 100 Pall Mall, London, SW1Y 5NQ

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	B1	Business	922m ²
Proposed	B1 C3 SG	Business	1008m ²
		Residential	591m ²
		Live/work units	181m ²
		Total	1780m²

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

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	4	0
Proposed	1	1

OFFICERS' REPORT

Reason for Referral to Committee: The application is a 'Major' development [Clause 4].

1. SITE

- 1.1. The application site is located behind a terrace of properties fronting onto Delancey Street and is accessed via an arch in the terrace. Within the site are five buildings set around a courtyard, which are currently vacant but were last used as recording studios. The buildings are either one or two storeys high, apart from a section of 'building A' which is three storeys in height. The site is within the Camden Town Conservation Area, to which the current buildings on the site are identified as making a positive contribution.
- 1.2. The Delancey Street terrace is a continuous group of 23 listed residential buildings. Also forming an enclosure to the site and providing a setting is an equally long row of listed terraced residential buildings on Albert Street. All are early to mid 19C with three storeys, attic and basement.

2. THE PROPOSAL

- 2.1. All the buildings currently occupying the site would be demolished and replaced with a mixed use scheme comprising five residential units, two live/work units and 1008sqm of B1 commercial space divided into eight separate units and a shared communal/gallery space. It is the stated aim of the applicant to create an 'artistic enclave' in keeping with the tradition of mews sites in the area, and this is reflected in the size and layout of the individual units.
- 2.2. Almost all of the site would be excavated to create an additional two storeys of accommodation. This would consist of a basement level, where the B1 units would be linked to each other via the communal/gallery space, and a lower ground floor level, a section of which would be open to create a central courtyard. The seven new buildings would be constructed around this courtyard in an irregular horseshoe shape, reflecting the pattern of development on the site at present.

- 2.3. The new buildings would resemble a series of interlocking cubes. They would vary in height from one to three storeys above ground floor level and the flat roof of each would have a green roof and solar water heaters. The top floors of the two highest units would have sections of their roofs and walls finished in copper. Other facing materials on elevations within the site include reclaimed brick, render and recycled timber. Four of the buildings would also have sections of green wall.
- 2.4. An area for servicing vehicles, disabled parking, motorcycles and visitors bicycles would be retained at ground floor level at the southern end of the site. This area would be connected to the central courtyard by a staircase and to the lower ground and basement levels by a platform lift. It would also feature a vehicle turntable so that vehicle could enter and leave the site in a forward gear.
- 2.5. An electricity substation, currently occupying a single storey building on the site, would be relocated to basement level within the scheme.

3. **RELEVANT HISTORY**

- 3.1. 2009/5255/P and associated 2009/5264/C. Erection six blocks comprising a mix of one, two and three storey buildings with lower ground and basement levels for offices (Class B1), 5 live/work units (Sui Generis), and 2 x 3-bedroom self-contained residential units (Class C3) (following demolition of existing two storey buildings). **Withdrawn** 30/03/2010.
- 3.2. Application ref 8700700. Alterations and extensions to existing buildings to accommodate sound and video recording studios with associated editing viewing dubbing wardrobe and changing facilities and ancillary reception offices and toilets. Granted 04/05/1987.
- 3.3. 8601646. Alterations and extensions to the existing buildings including the addition of a roof extension and a roof terrace for light industrial purposes. Granted 05/11/1986.
- 3.4. 8401037. Redevelopment to provide fifteen residential units. Refused 15/08/1984.

4. **CONSULTATIONS**

Statutory Consultees

- 4.1. English Heritage: The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

Other Consultees

- 4.2. Environment Agency: Requests that an informative should be attached to any planning permission stating that: *"Large underground structures (e.g. Basement car parking) constructed below the water table may act as an obstruction to groundwater flows. Consequently, a building-up of groundwater levels may occur on the up-gradient side of such structures. Any drainage systems proposed for*

such structures should also be capable of allowing groundwater flows to bypass the structure without any unacceptable change in groundwater levels, or flow in groundwater-fed streams, ditches or springs". It is also noted that this opinion has been formed through consultation with technical specialists within the Environment Agency.

- 4.3. Thames Water: There are public sewers crossing the site. Approval must be sought from Thames Water for the erection of a building within 3 metres of a public sewer. It is the responsibility of the developer to make proper provision for drainage. There are no objections to the development on the grounds of water infrastructure.

Local Groups

- 4.4. **Camden Town CAAC** object on the following grounds:

- 1) The scheme is not appropriate to the character of this part of Camden Town and will have a detrimental effect on two streets of listed buildings: Delancey Street and Albert Street.
- 2) The design proposals are out of scale with their surroundings. The scheme's materials do not fit in with that of the buildings adjoining the site. The roofscape rises higher than the existing buildings on the site. The roofscape will figure prominently in views from the back of neighbouring houses.
- 3) Residents of Albert Street will suffer loss of privacy and outlook.
- 4) With the introduction of housing the site will be open for 24 hours. The consequent light pollution from the windows and skylights will have a detrimental effect on neighbouring residents.
- 5) Noise pollution would arise from the commercial and live/work units, the movement of vehicles and from associated plant.
- 6) Several of the units have unsatisfactory plans in amenity terms. On the lower ground floor, Unit 3b has a bedroom with its window looking into a rooflight immediately adjoining a window of a commercial unit. On the ground floor, Unit 8 has two bedrooms with very small windows, and Unit 6b has a tortuous and twisted plan, which should not be allowed.
- 7) The housing, live/work units and commercial units will all generate a fair number of cars and vans in an area where parking is already very difficult.
- 8) Compared to many others the site is situated close to existing buildings and the site itself is crammed with accommodation.
- 9) The present low-key buildings on the site are the successors of previous functional C19th ones. Built of brick, they have appropriate and characteristic construction and use. The site at present and the adjoining buildings are occupied by offices, architect's offices and the Jewish Museum. Such small scale, low- key developments behind terraces of housing are characteristic of the Camden Town CA. One of the aims of the UDP lies in recognising and protecting the character of the Borough's special areas. The architectural character of the proposed scheme does not comply with this aim.

- 4.5. **Albert Street North Residents' Association** object on the following grounds:

- 1) Development would be out of scale, with the floorspace of the proposed double the existing.

- 2) The external appearance and materials do not compliment the buildings in the immediate neighbourhood.
- 3) Risk of subsidence from the basement.
- 4) The development would be too high.
- 5) There would be an increase in light and noise pollution.
- 6) Increased pressure on parking.
- 7) The proposal would result in the site being used 24/7, whereas at present it is only used at night.

Adjoining Occupiers

	Original
<i>Number of letters sent</i>	69
<i>Total number of responses received</i>	15
<i>Number of electronic responses</i>	10
<i>Number in support</i>	0
<i>Number of objections</i>	14

- 4.6. Immediate neighbours to the site were notified by letter, as were those who commented on or objected to the previous scheme 2009/5255/P. Site notices were placed adjacent to the site, on the corner of Albert Street and Delancey Street and on the corner of Delancey Street and Parkway from 19th May 2010 and an advertisement placed in the local paper on 20th May 2010. 15 letters commenting on and objecting to the scheme were received, principally from neighbours immediately adjoining the site in either Delancey Street or Albert Street. Objections were also received from the occupants of offices to the north of the site on Parkway. The following points were raised.

- 1) The large amount of excavation proposed would result in subsidence.
- 2) The new structure would be too high, bulky, unsympathetic and out of scale.
- 3) Floorspace of site doubling in size.
- 4) Modest refurbishment of site would be more acceptable.
- 5) Present buildings not attractive but are low key.
- 6) Plans rely on trees to mask development, which is not helpful during the winter.
- 7) Loss of outlook for neighbouring residents.
- 8) Loss of light to neighbouring residents and offices.
- 9) Daylight/sunlight report is inaccurate.
- 10) Disturbance from light and noise pollution.
- 11) The mechanical turntable suggests that there would be frequent comings and goings, bringing disturbance to the back of residences.
- 12) Loss of light to the back gardens of Delancey Street.
- 13) Disruption from the length of time the work would take.
- 14) Cumulative impact from other developments in the area.
- 15) Views of neighbours expressed on previous scheme not taken into account on current application.
- 16) Pressure on parking and traffic in the vicinity of the site.
- 17) Commercial units likely to be far too expensive for their intended users and are likely to remain empty.
- 18) Previous 1984 application was refused.

- 19) 'Green' roofs unlikely to remain green. They frequently leak and need regular upkeep. Is there any guarantee that these would be maintained?
- 20) Security issues arise from 24 hour access.

5. POLICIES

5.1. Replacement Unitary Development Plan 2006

SD2 Planning Obligations
SD6 Amenity for occupiers and neighbours
SD7 Light, noise and vibration pollution
SD8 Disturbance
SD9 Resources and energy
H1 New Housing
H7 Lifetime homes and wheelchair housing
H8 Mix of units
B1 General design principles
B6 Listed buildings
B7 Conservation areas
N4 Providing public open space
N5 Biodiversity
N8 Ancient woodlands and trees
T1 Sustainable transport space
T2 Capacity of transport provision
T3 Pedestrians and cycling
T7 Off-street parking, city car clubs and city bike schemes
T8 Car free housing and car capped housing
T9 Impact of parking
T12 Works affecting highways
E2 Retention of existing business uses
E4 Live/Work Units

5.2. Other Relevant Planning Policies

Camden Planning Guidance 2006 and the Camden Town Conservation Area Statement are also considered relevant.

5.3. LDF Core Strategy and Development Policies

As the draft LDF Core Strategy and Development Policies documents have now been published they are material planning considerations particularly where they directly stem from and accord with national policy. However, as a matter of law, limited weight should be attached to them at this stage because they cannot override the Council's legal duty to determine planning applications in accordance with its existing development plan unless material considerations indicate otherwise. At the present time it is likely to be difficult to justify refusal of any application based solely on draft LDF policies and members should always seek specific officer advice before considering voting for refusals on this basis.

Core Strategy Policies

CS3 – Other highly accessible areas

CS6 – Providing quality homes
CS11 – Promoting sustainable and efficient travel
CS13 – Tackling climate change through providing higher environmental standards
CS14 – Promoting high quality places and conserving our heritage

Development Policies

DP1 – Mixed use development.
DP2 – Making full use of Camden's capacity for housing
DP5 – Homes of different sizes
DP6 – Lifetime homes and wheelchair homes
DP13 – Employment sites and premises
DP16 – The transport implications of development
DP17 – Walking, cycling and public transport
DP18 – Parking standards and the availability of parking
DP19 – Managing the impact of parking
DP21 – Development connecting to the highway network
DP22 – Promoting sustainable design and construction.
DP24 – Securing high quality design
DP25 – Conserving Camden's heritage
DP26 – Managing the impact of development on occupiers and neighbours
DP27 – Basements and lightwells
DP28 – Noise and Vibration
DP29 – Improving access
DP31 – Provision of, and improvements to, public open space and outdoor sport and recreation facilities.

5.4. National Policy

Planning Policy Statement 5 (Planning for the Historic Environment).

6. ASSESSMENT

6.1.1 Main Issues

The main issues relating to this application area considered to be as follows:

- The Principle of the proposed development
- Demolition of positive contributors
- The design of the replacement scheme
- Transport
- Neighbourhood Amenity
- Sustainability
- Mix of Units
- Residential Development Standards
- Lifetime Homes/Wheelchair Accessible Housing
- Trees, Landscaping and Biodiversity
- Education and Open Space Contributions
- Contaminated Land
- Basement excavation

- Refuse Storage

6.2. The Principle of the Proposed Development

- 6.2.1. The previous application 2009/5255/P was withdrawn following concerns that the proposal would result in a loss of flexible B1 floorspace, important for employment purposes, and as such would be contrary to Policy E2 of the UDP. The current application would result in a small net increase in the amount of B1 floorspace within the site. Most of this space would be located on the basement and lower ground floors, where limited natural light may affect the attractiveness of some of the units. However, there are some light voids into the basement and the spaces do seem rational and useable in addition to being an excellent size for small businesses and start-ups. Taking into account the large platform lift at the entrance and supporting information provided by the applicant regarding the limited appeal of the existing buildings, it is considered that the proposal would not result in the loss of useable business floorspace and would therefore comply with policy E2.
- 6.2.2. The development is also supported by Policy H1 of the UDP, which encourages new housing in the borough, as five new residential units would be created. The creation of two new live/work units complies with policy E4 as this would not result in the net loss of B1 or residential floorspace. As the development is of a substantial scale, a clause in the S.106 agreement is required to ensure that the developer uses reasonable endeavours to hire construction labour and source construction goods locally.

6.3. Demolition of positive contributors

- 6.3.1. Critical to this proposal is the justification for demolition. The buildings are recognised as positive contributors in the 2007 adopted Character Appraisal. However, further inspection has shown that although the buildings make some contribution through their group value, layout, and qualities such as scale and material, they were extensively redeveloped in the 1980s and although there are some older elements of fabric much is of average pastiche construction and design. As such they are not as significant as many other positive contributors in the Conservation Area.
- 6.3.2. PPS5 looks for a proportionate response when assessing buildings for change or demolition. When considering proposals that affect buildings which make a positive contribution, the local planning authority should take into account the relative significance of those buildings and their contribution to the significance of the Conservation Area as a whole. The test as to what would justify demolition must be based on a fair view of the loss of significance that the demolition would lead to, taking into account the relative significance of the buildings and their contribution to the significance of the Conservation Area as a whole.
- 6.3.3. English Heritage's Guidance on the Management of Conservation Areas sets out 10 points through which buildings can be assessed as positive. It can be demonstrated that the buildings respond positively through their materials and style and through their historic association and reminder of earlier layouts, spaces and forms within a mews complex, although it is clear that these layouts have evolved

over time. However as redeveloped in the 1980s, the buildings have little historic significance in their own right. The greatest significance does not reside in the buildings themselves, but in the presence of development of this type on this site. As such any proposal that demolishes and replaces the buildings with new designs which continue to work with the mews character and layout would not necessarily result in a total loss of significance on this site.

- 6.3.4. The PPS5 tests for proposals involving substantial harm or total loss of significance are summarised below:

A, the nature of the heritage asset prevents all reasonable uses of the site. The site was extensively redeveloped in the 1980s for film and sound studios. The spaces are specific to the needs and use of the time, have low light levels and poor circulation.

B, no viable use of the heritage asset itself can be found in the medium term that will enable its conservation. The form and layout of the buildings and their specific design compromised their medium term viability.

C, conservation through grant-funding or some form of charitable or public ownership is not possible. It is highly unlikely with the current financial pressures that funding could be found for such a site.

D, the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use. This is a site which has always enjoyed a functional history and this forms an important part of its character and interest. It has been stables, a garage and business studios. Its buildings are functional and have adapted to the changing functional nature of the site.

- 6.3.5. The level of justification for demolition would not warrant the demolition of buildings of greater significance. However, proportionately, taking into consideration the type and level of contribution made by the existing buildings and the design of the new proposals, the demolition is considered acceptable.

6.4 Design of the replacement scheme

- 6.4.1 As outlined above, the existing site is a former stables/mews with light industrial qualities. The group of buildings have been recognised as positive because of their group value, layout, and qualities such as design, scale and material. Any proposal should respond to these positives and add to the morphology of the stables/ light industrial mews in a way which preserves the memory and character of its former roles.
- 6.4.2 The proposal does manage through its informal layout of smaller units around a mews and its retention or rebuilding of brick boundaries treatments to maintain some of this character. New materials, such as metal cladding, are introduced. However, these are considered to be in character and will principally be seen within the mews, with brick principally facing onto the gardens of the listed buildings. The height of the building will be greater, but the scale is still subordinate to the terraces and other neighbouring buildings. The development would therefore succeed in

preserving the character of the conservation area in accordance with Policy B7 of the UDP and respect the setting of neighbouring listed buildings, complying with Policy B6, subject to a condition requiring approval of facing materials.

6.5 Transport

- 6.5.1. The vehicular access to the site is a narrow access road via car parking on the site, and has a height restriction with an archway above the accessway. The site has a Public Transport Accessibility Level (PTAL) of 6a (excellent). The application is acceptable in transport terms subject to a S.106 agreement for it to be car capped, a Construction Management Plan, a Servicing Management Plan, a contribution to highways works in the vicinity of the site and a condition for details of cycle parking, on grounds set out below.
- 6.5.2. Car-capped Development: Given the site's very high PTAL rating and it's location in the highly stressed Camden Town South Controlled Parking Zone (where 116 permits have been issued for every 100 spaces), the proposed development should be car free in line with UDP policies T8 and T9. Both the residential and commercial elements would be car free and would be secured through a S.106 agreement. This would ensure that overspill parking would not further restrict parking spaces available to existing residents.
- 6.5.3. Off-street Parking: The proposal includes provision for 1 disabled parking bay which is a reduction of 1 space from the previous design. Although the threshold has not been reached to require a disabled parking space for either use, cumulatively it is expected that demand generated by this development would require a disabled parking space. Given that this has been provided for, this is acceptable in transport terms.
- 6.5.4. Cycle Parking: UDP policy T3 requires development to sufficiently provide for the needs of cyclists, which includes cycle parking and UDP policy T7 states development must comply with Camden Parking standards. For bicycles, these state that 1 storage or parking space is required per residential unit (and per live/work unit) and one per 250sqm of office space for staff, with two further spaces for visitors. Therefore 7 cycle storage/parking spaces are required for the residential element, and 7 for the office space.
- 6.5.5. The proposed design includes space for approximately 14 spaces (using Sheffield stands) designed to the Council's specifications on the basement floor level, although the stands themselves have not been laid out on the plans. With regard to access, the platform lift provides level access to the basement level which is acceptable. In addition, there is also provision for 8 visitor cycle parking spaces on the ground floor level; however the stands that have been laid out are too close together and so many of them would be difficult to use. Given that there is sufficient space within the proposed layout to easily accommodate the required 14 spaces (designed to meet the standards), this issue can be resolved by condition as it would not require a significant amendment to the proposed design.
- 6.5.6. Construction Management Plan (CMP): The proposal includes the construction of a large basement and lower ground floor level over nearly the entire footprint of the

site. In addition, it is proposed to construct several buildings 2 storeys in height, therefore the scale of construction works will be significant. Further, the access to the site is restricted in height and width; therefore large construction vehicles will have difficulty accessing the site. Given all these points, there will be a significant impact of construction vehicles on the surrounding road network, therefore a CMP is needed, which would be secured via a S.106 agreement.

6.5.7. Servicing Management Plan (SMP): The proposed development will have significant servicing requirements. It is proposed to construct a loading bay on the site which will greatly assist with meeting the servicing requirements of the development; however the access to that loading bay is restricted in terms of height and width. Therefore the size of vehicles servicing the site will need to be controlled, as will the impacts of servicing on Delancey Street for larger vehicles. An SMP is therefore needed for this development.

6.5.8. Highways Works: In order to tie the development into the surrounding urban environment, a financial contribution should be required to pave the crossover to the accessway for the site (only within the public highway) in a continuous footway type. This is in line with UDP policies T3 and T12. This work and any other work that needs to be undertaken within the highway reservation will need to be secured through a S.106 Agreement with the Council. The Council will undertake all works within the highway reservation, at the cost to the developer. This S.106 obligation should also require plans demonstrating interface levels between development thresholds and the Public Highway to be submitted to and approved prior to implementation.

6.6 Neighbourhood Amenity

6.6.1 The main considerations with regard to neighbourhood amenity are whether the scheme would have a significantly adverse impact on neighbours in terms of loss of light, outlook or privacy, crime or noise and disturbance from the new development.

6.6.2 Loss of light: It should first be noted that the site is separated to a large extent from the neighbouring residential terraces by the lengthy rear gardens of those properties. The properties on Albert Street which abut the site have rear gardens approximately 20m in length. Of the properties on Delancey Street, nos. 60, 62, 64 and 66 have rear gardens of approximately 25m in length between them and the application site, whilst the properties adjacent to the archway, nos. 68, 70 and 72, would be separated from the nearest proposed buildings by the parking and servicing area; a distance of at least 13m. The Delancey Street terrace is also located to the south of the application site. The site is much closer to the converted warehouse at 77 Parkway and 79 Parkway to the north. However, these buildings are not in residential use.

6.6.3 The applicant has conducted a daylight/sunlight study. This demonstrates that the proposed development would be below a 25 degree angle from the mid point of every habitable room window on each neighbouring property. As such, good daylight and sunlight levels would be maintained to all neighbouring residential properties in accordance with BRE guidelines. The objections of the occupants of the offices at 77 Parkway are noted. However, it would be difficult to sustain a

refusal of the application on grounds of loss of light to non-residential space. In any case, given the scale of the proposed buildings it is considered that any loss of light to 77 Parkway would not be significant.

- 6.6.4 The existing high boundary wall around the site would be retained and, where the proposed buildings would project above, this they would be largely set back. This, and the orientation of the new buildings, would serve to limit the amount of overshadowing to neighbouring gardens compared to the existing situation.
- 6.6.5 Overlooking: The majority of the fenestration of the new buildings would be oriented towards the central courtyard. Whilst this would create a degree of mutual overlooking within the site, it would be for future occupiers to decide if they wished to live with such an arrangement. Of more significance is the fact that none of small number of windows facing outwards from the site would look towards habitable windows on neighbouring buildings over a distance of less than 18m, thereby complying with Camden's guidance for minimum acceptable separation distances.
- 6.6.6 The development features three roof terraces, which would feature 'privacy planting' to prevent overlooking. However, given that it would be difficult to ensure a level of planting that would maintain privacy at all times, the private terrace to the residential Unit 7 and the communal terrace above Unit 11 would require privacy screening to prevent overlooking to the rear of properties on Delancey Street. This can be secured by condition. It is noted on the plans that the flat green roofs of the proposed buildings would only be accessible for maintenance purposes. A condition would also ensure that this would remain the case.
- 6.6.7 Noise and Disturbance: Several items of plant would be installed, including attenuated ventilation plant with heat recovery for the basement air source heat pumps. The position of this plant is indicated on the plans as being in an acoustic louvred enclosure between unit 7 and unit 11. The applicant has commissioned an acoustic report, which indicates that the proposed plant would comply with Camden's noise criteria subject to the necessary attenuation. This has been reviewed by the Council's Environmental Health team and found to be acceptable. A standard noise condition is therefore considered sufficient to prevent nuisance occurring to neighbouring properties on account of the plant.
- 6.6.8 The increase in the scale of development on the site is likely to result in an increase in the number of people visiting the site. However, this is offset by the reduction in parking spaces and the proposed car-capping, which would be likely to reduce the number of vehicular movements compared to the current site if it were fully occupied by a business use. Given this, and the distance between the proposed buildings and existing residential properties, on balance it is considered that the intensification in use of the site would not be likely to result in additional noise and disturbance sufficient to warrant refusal of the application. The development is therefore considered to comply with Policy SD6 of the UDP.
- 6.6.9 Crime and Security: Several neighbours have raised concern that the proposal would result in their properties being made less secure due to the site being accessible 24 hours a day. Contrary to this view, it is considered that the introduction of residential units on the site would increase security. The new

residents would ensure natural surveillance and discourage unauthorised access to the site. The existing gated access would be retained and the applicant further intends to install CCTV cameras and an audio/visual access control panel. The development is therefore considered acceptable in design/security terms.

6.7 Sustainability

- 6.7.1 The proposed development encompasses a number of sustainability features into its design and the applicant intends to achieve Level 4 of the Code for Sustainable Homes for the residential component of the development and 'Excellent' under BREEAM. Much of the energy used by the development would be generated on site using solar heaters and air source heat pumps and some effort has been put into increasing biodiversity through a range of green roofs, green walls, bird and bat boxes.
- 6.7.2 All new residential schemes are required to meet a minimum Level 3 rating under the Code for Sustainable Homes, with a minimum score of 50% of the credits available in each of the Energy, Water and Materials sub-sections. The applicants have submitted a Code pre-assessment, which indicates that a Level 4 score can be achieved, exceeding the minimum required by policy. The pre-assessment also indicates that a minimum 50% score can be achieved in each of the Energy and Water sub-sections. However, the Materials element of the appraisal falls some way short of the 50% target. However, given that the overall score achieved is above the minimum requirement, it would be unreasonable to refuse the application on this issue alone.
- 6.7.3 Developments over 1,000sqm must include the provision of renewable energy on site. The provision of 10% of energy requirements of any new development to be provided through renewable energy sources, as specified in the CPG, has been superseded by further amendments to the London Plan in February 2008. This has specified that new developments should aspire to meet a 20% target. If any renewable energy technology is proposed the applicant should make sure they have followed the Mayors energy hierarchy (1. use less energy, 2. use renewable energy and 3. supply energy efficiently) to show that renewable energy is not just an 'add-on'.
- 6.7.4 The applicants' energy assessment follows the Mayors energy hierarchy and states that it can achieve a 47% reduction in the overall energy consumption of the building, with a 17% reduction in CO₂ emissions. A number of renewable energy technologies have been assessed to meet this requirement, and the conclusion from the submitted report is that a combination of a solar hot water system and air source heat pumps will be most suited to the site and its surroundings. This is considered acceptable in the context of Policy SD9 and the requirements of the London Plan.

6.8 Mix of Units

- 6.8.1 Policy H8 of the UDP requires new residential development to consist of a mix of unit sizes. Two of the five residential units proposed would have three bedrooms,

providing much needed family sized housing in the borough. Along with the 1 and 2 bed units, the scheme would satisfy Policy H8.

6.9 Residential Development Standards

- 6.9.1 Residential development standards are outlined in Camden Planning Guidance (2006) - they require the following floor area for the respective unit size:

No. of persons	1	2	3	4	5	6
Minimum floor space (m ²)	32	48	61	75	84	93

- 6.9.2 The proposed development would conform to the residential development standards in terms of unit and bedroom sizes, as set out in the Camden Planning Guidance. The residential units at 49, 82, 104, 144 and 202 sqm would be of a generous size and the two larger ones would have private outdoor amenity space in the form of roof terraces. The other units would have access to a sizeable communal terrace.
- 6.9.3 The size of windows of some of the residential units and the proximity of the proposed buildings to each other would place some limits on natural lighting, although it is accepted that the design would serve to maximise solar gain given the constraints of the site. The applicant has conducted a daylighting test which demonstrates that each habitable room within the development would receive adequate natural light in accordance with the BRE guidelines.
- 6.9.4 In summary, notwithstanding the idiosyncratic nature of the development, with its juxtaposition of business and residential units, it is considered that future occupiers would enjoy reasonable residential standards in accordance with Camden's guidance.
- 6.10 **Lifetime Homes/Wheelchair accessible Housing**
- 6.10.1 The applicants have submitted a Lifetime Homes assessment which demonstrates that all applicable lifetime homes standards would be complied with. The Design and Access Statement also contains additional drawings of residential units 7 and 8 and live/work unit 12 to show how these 3 units would be suitable for wheelchair users. The development would therefore comply with the requirements of Policy H7.

6.11 Trees, landscaping and biodiversity

- 6.11.1 An arboricultural report has been provided. The report demonstrates that trees in neighbouring gardens will not be detrimentally affected by the proposals. A method statement has been outlined for their protection. No further details are required. The construction of the basement adjacent to a sycamore in the garden of a house on Albert Street has been pulled back from the root protection zone of this tree.
- 6.11.2 The proposed landscape design for the scheme is exemplary in its provision for biodiversity with a range of habitats designed into scheme with green roof, green

walls and planters. The selection of materials for the surfaces within the mews are considered to be appropriate.

- 6.11.3 Any planning permission should be conditional on the submission and approval of hard and soft landscape details including details on the construction, planting and management of green roofs and walls and details of the nesting provision for birds and bats. The approved details should be installed prior to the occupation of the buildings and permanently retained and maintained.

6.12 Education and Open Space Contributions

- 6.12.1 Education: In line with Policy SD2, a contribution towards educational infrastructure in the area should be made. This is based on all private housing of 2 or more bedrooms. Based on the unit numbers and mix, a contribution of £16,547 should be required, to be secured by a S.106 agreement.

- 6.12.2 Open Space: Policy N4 requires 9m² of open space per person for new residential developments. Approximately half the required open space has been provided on site in the form of communal open space. However, a contribution of £3,750 is required to make up the shortfall in off-site provision, to be secured by a S.106 agreement.

6.13 Contaminated Land

- 6.13.1 As this site has a historical use as Plating and Printing Works, the potential for contamination of the ground may have occurred. As such, it is recommended that the Council impose a standard condition for contaminated land.

6.14. Basement Excavation

- 6.14.1 The development involves the exaction of a substantial basement over two levels, and as such raises concerns regarding structural stability, drainage and flooding. The applicant has anticipated these concerns and provided supporting information in the form of a hydro-geological review and a structural engineering report.

- 6.14.2 The hydro-geological review investigated local ground water and geological conditions, and the impact of the development upon them. It notes that a strategic flood risk assessment for North London identified no specific risks for this area. It concludes that the ground beneath the site is London Clay to a considerable depth and that there are no significant risks with respect to water flow either during or after construction and that the low permeability of the clay would result in the proposed basement not having a significant impact on ground water flow. The report has been forwarded to the Environment Agency for comment and they have confirmed that they have no objection to the proposal.

6.15 Refuse Storage

- 6.15.1 An area at basement level has been set aside for refuse storage, and would serve the entire development site. The containers would be brought to ground floor level using the platform lift. The storage area is of a sufficient size to serve waste and recycling

produced by the entire development and the proposed arrangement is therefore considered acceptable. Note also that an area of the communal terrace has been set aside for composting, which is a welcome and sustainable feature.

7. CONCLUSION

7.1 It is considered that demolition of the existing buildings would be acceptable in conservation terms and that the proposed replacement buildings would be of a high quality, sustainable design. The applicants have Approval is therefore recommended subject to conditions and an agreement under S.106 of the Town and Country Planning Act covering the following heads of terms:

1. A Construction Management Plan.
2. A Servicing Management Plan
3. A financial contribution towards educational facilities.
4. A financial contribution towards community facilities.
5. A contribution towards highways works in the vicinity of the site.
6. A sustainability plan, including post construction review.
7. Car capped housing.
8. Local employment and procurement.

7.2 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 following reasons:-

1. The proposed development, in the absence of a S.106 legal agreement requiring a Construction Management Plan, Servicing Management Plan and the provision of highways works adjacent to the site, would be likely to result in an unacceptable impact on the local transport system, contrary to policies T1 and T12 of the London Borough of Camden Replacement Unitary Development Plan 2006.
2. The proposed development, in the absence of a S.106 legal agreement securing compliance with the Code for Sustainable Homes and Energy Report and a post construction review, would fail to be sustainable in its use of resources, contrary to policies SD9 and B1 of the London Borough of Camden Replacement Unitary Development Plan 2006.
3. The proposed development, in the absence of a S.106 legal agreement requiring a contribution of £16,547 towards educational infrastructure and £3,750 towards the provision of open space, would place an unacceptable strain on local educational resources and open space, contrary to policy SD2 of the London Borough of Camden Replacement Unitary Development Plan 2006.

4. The proposed development, in the absence of a S.106 legal agreement securing the development as car capped, would be likely to result in unacceptable additional pressure on on-street parking, contrary to policies T8 and T9 of the London Borough of Camden Replacement Unitary Development Plan 2006.

8. **LEGAL COMMENTS**

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

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