

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>03/07/2009</b>	
		N/A		<b>Consultation Expiry Date:</b>		22/06/2009	
<b>Officer</b>				<b>Application Number(s)</b>			
Tania Skelli-Yaoz				(1) 2009/2210/P (2) 2009/2211/C			
<b>Application Address</b>				<b>Drawing Numbers</b>			
1 Radlett Place London NW8 6BT				See decision notices			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
(1) Demolition of existing single family dwelling house (Class C3) and the erection of a single family dwelling house (Class C3) with associated landscaping, car parking, two-storey guest house and single-storey annex in garden. (2) Demolition of existing single family dwelling house (Class C3)							
<b>Recommendation(s):</b>		(1) Refuse planning permission (2) Refuse conservation area consent					
<b>Application Types:</b>		Full Planning Permission Conservation Area Consent					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notices					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>06</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		<u>28-30 Avenue Road</u> : Concerns over the leisure centre in the south-east corner adjacent to above AO resulting in noise from plant and intensification of activity. Concerns are also raised over significant increase in glazing on the south and east elevations together with rear balconies resulting in overlooking the gardens of no. 30 and loss of privacy.					
<b>CAAC/Local groups comments:</b>		<u>Elsworthy CAAC</u> : Object. The current application does not raise any new conservation issues, and we repeat our previous objections. Object to excessive height and bulk of proposed house which be detrimental to the view from Primrose Hill. Object to the form, design and materials which would be out of keeping with the visual amenity of the location, would be detrimental to the character and appearance of the conservation area and detrimental to the views from PH.					
<b>Site Description</b>							
This is a large backland site at the rear of no. 34 Avenue Road accessed via a private road between nos. 34 & 36 Avenue Road. It is occupied by a very large L-shaped 2-storey single dwellinghouse, dating from the 1950's, with a detached garage and disused asphalt tennis court. To the front of the house is a stretch of road paved almost entirely with concrete paving slabs. The site is further							

characterised by a substantial garden and a number of mature trees.

The existing house is not visible from the main roadway of Avenue Road; a wide tree lined road leading from Swiss Cottage to Regent's Park. It is bounded by Primrose Hill to the north-east, which is designated as Metropolitan Open Land and a Borough Site of Nature Conservation Importance.

The south-eastern edge of the site adjoins the garden of no. 30 Avenue Road; Radlett House to the northwest; no. 34 Avenue Road to the southwest, a 2-storey plus mansard roof single dwellinghouse with a large rear garden bounded by a 2.4m high boundary wall; and to the west of the site lies no. 36 Avenue Road, which is a modern red brick block of flats.

The site is located within the Elsworth Conservation Area, which is characterised by large detached dwelling houses or blocks of flats with substantial gardens, which contribute to the open landscaped appearance of the area. The surrounding area is diverse in terms of scale, style and architecture. The Elsworth Conservation Area backs onto Primrose Hill, where there are long views to the rear of the properties on Avenue Road from the park. The relationship between the park and the conservation area expressed in the views in and out are an important part of the character of the area.

### **Relevant History**

Appeal lodged against the refusal of pp and cac as below (ref. APP/X5210/E/09/2104199 & APP/X5210/E/09/2104197) by hearing. Appeal statements have been exchanged and appeal is to be heard on 17/09/2009.

2008/3160/P & 2008/3500/C Demolition of existing single dwellinghouse and the erection of a single dwellinghouse with associated landscaping, car parking, two-storey guest house and single-storey annex in garden. Refused on 23/3/09. The reasons for refusal were:

In the absence of sufficient evidence to justify the failure of the scheme to make a contribution to the supply of affordable housing, the proposal is contrary to policy H2 (Affordable Housing) of the Camden Replacement Unitary Development Plan 2006 and policies 3A.10 and 3A.11 of the London Plan.

The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, would be likely to result in an unacceptable impact on the public highway, contrary to policy T12 of the London Borough of Camden Replacement Unitary Development Plan 2006 and to guidance within Camden planning Guidance 2006.

Pre-application advice was given (ref: 2007/6030/NEW) for the demolition of the existing single dwellinghouse and redevelopment of the site to create a new 5 bed residential unit with ancillary guesthouse and car parking in 2008.

Planning permission and conservation area consent (ref: 2004/2953/P & 2004/2954/C) for the demolition of existing detached single dwellinghouse and garage and the erection of 6 x 2-3 storey plus basement semi-detached houses with 5 integral garages and 7 external parking spaces were granted subject to a S.106 on 16/02/2005. This permission can still be implemented, as a time limit condition does not expire until 16/02/2010.

### **HISTORY OF SURROUNDING PROPERTIES**

#### **Radlett House**

Radlett House is located against the boundary with Primrose Hill and the application site. Planning permission was granted on 21/12/2007 for the demolition of an existing swimming pool pavilion adjacent to Primrose Hill and redevelopment to provide a 2-storey building plus roof to accommodate a swimming pool.

## Relevant policies

SD1 Quality of Life – complies  
SD2 Planning Obligations – does not comply (see H2)  
SD6 Amenity for occupiers and neighbours – complies  
SD7 Light, noise and vibration pollution – complies, subject to condition  
SD8 Disturbance – complies  
SD9 Resources and energy - complies  
H1 New Housing – complies  
H2 Affordable Housing – does not comply  
H3 Protecting existing housing – complies, subject to condition  
H7 Lifetime homes and wheelchair housing – complies  
H8 Mix of units - complies  
B1 General design principles – complies  
B3 Alterations and extension - complies  
B7 Conservation areas – complies, subject to condition  
N1 Metropolitan Open Land – complies  
N2B Protecting open space – complies  
N5 Biodiversity – complies, subject to condition  
N8 Ancient woodland and trees – complies, subject to condition  
T7 Off-street parking, city car clubs and city bike schemes – complies  
T3 Pedestrians and Cycling – complies  
T12 Works affecting highways – complies, subject to s. 106

## The London Plan (Consolidated with Alterations since 2004) Feb. 2008

3A Living in London – London Plan Density Matrix (Table 3A.2)  
3A.10 & 3A.11 Affordable Housing – does not comply  
4A Climate change and London's Metabolism – complies  
4B Designs on London - complies

## Other Relevant Planning Policies and Guidance

PPG 15: Planning and the Historic Environment  
Draft Elsworthy Road Conservation Area Statement (1999)

Camden's Parking Standards (Appendix 6 of the UDP)

## Assessment

### THE PROPOSAL

It is proposed to demolish the existing single dwellinghouse of 628m<sup>2</sup> and construct a new single dwellinghouse of 3,273m<sup>2</sup> (2,523m<sup>2</sup> excluding sub-basement) with associated landscaping, car parking, two-storey guest house and single-storey annex in garden. The main house would have 5 bedrooms; the staff annex 5 bedrooms; and the guest annex 2 bedrooms.

The re-submission of this proposal follows the refusal of a previous similar scheme. The current scheme includes minor elevational changes and is supplemented by a financial valuation report to support the applicant's case that an affordable housing contribution is not justified and therefore should not be required by planning obligation.

### ASSESSMENT

The principal considerations material to the determination of the applications have been considered as part of the previous application and are summarised below. The main amendments to the consideration of these applications deal with assessment of the financial valuation report.

- Demolition of existing building
- Design of new building
- Land use and accessibility
- Affordable Housing
- Residential amenity
- Trees, Landscaping and biodiversity

- Transportation issues
- Sustainability
- Refuse and Recycling

### **Demolition**

The Council's draft Elsworthy Road Conservation Area (1999) does not identify the existing building at 1 Radlett Place as a building of local interest or as one making a positive contribution to the character and appearance of the conservation area. Therefore, there is no policy to protect the existing building at 1 Radlett Place from demolition. In this regard, it should be noted that consent has already been granted in 2005 for the demolition of the existing building. However, as outlined in policy B7 of the UDP, the Council would only grant approval for a replacement building which would enhance the conservation area to an appreciably greater extent than the existing building.

### **Design of new building**

The proposed building footprint constitutes three interlinked building blocks, positioned and orientated on site to respect its garden setting and long views through to Primrose Hill on its northern boundary. This proposal retains all existing views of Primrose Hill from Avenue Road, and particularly from no. 34 Avenue Road, minimises the width of the building visible from the parklands and reinforces the Radlett Place road edge with a design response that respects the character of the conservation area.

On this site, the proposed contemporary design is considered acceptable in an area of diverse scale and architecture. The building envelope will not have a detrimental impact on the character and appearance of the conservation area and is considered respectful to its built form context, as well as to local views.

**Building Layout & Siting:** The proposed building footprint extends and maximises the length of the site, containing the residence behind a continuous frontage to Radlett Place. As approached from Radlett Place, the service zone (including garage and staff quarters) and guest accommodation present a hard building edge to the laneway in a low one and two storey form. This is considered an appropriate boundary treatment to the narrow and very private Radlett Place access.

The primary entrance is recessed behind an entrance courtyard – arranged around a protected tree - central to the Radlett Place elevation. This creates an appropriate solid to void relationship at ground floor level. The family accommodation is situated mid-site in a linear form. The proposed 2 storey scale above ground level plus upper level setback is considered satisfactory to the setting of the conservation area.

To the southern half of the site is a landscaped private garden which continues the feeling of openness of the adjacent Primrose Hill parklands whilst maintaining the uninterrupted sightlines from the rear of no. 34 Avenue Road through to the open space.

**Elevational Composition & Materials:** All four elevations are composed of 'clean' lines and elevational planes which complement the linear form. The perceived bulk and mass is reduced by the differing planes juxtaposed by the lightweight upper levels and glazed sections of the elevation. This is particularly important on the Primrose Hill elevation, undoubtedly the most prominent and sensitive façade of the scheme and visible from the public parklands.

Whilst the proposed contemporary approach differs from the architectural character and materials traditionally seen in this part of the Elsworthy Road Conservation Area, the proposed design scheme is considered to successfully integrate the contemporary building proposal into the existing landscape.

The proposed palette of materials including timber screening, white and warm stone, white and warm cream screening panels, white painted brickwork and glazing, are considered acceptable. The contemporary design approach is reflected in the palette of materials of neutral tones, which is considered complementary and visually appropriate to the site and its garden surroundings. The elevational alterations proposed as part of this re-submission include revisions the fenestration and openings. These are considered minor and acceptable. Accordingly, the proposal is considered to

comply with policies B1, B3 and B7 of the UDP. In a scheme that was in all other respects acceptable the council would impose a condition requiring a sample panel of materials to be erected on site for approval.

**Impact on Primrose Hill elevation and views:** The proposed Primrose Hill elevation consists of a double storey library room and a roof top study room, which has been set back from the building edge to minimise its impact on the park. The completely glazed wall in combination with the raised planter on the upper level terrace serves to create privacy, softening the building edge, minimising the bulk and visibility of this upper level in view from the parklands.

The decision not to place a main living area or bedroom on this elevation respects its context as the most public elevation to the park. Computer generated images and photomontages submitted as part of the application show that only glimpses towards the building may be possible through the existing trees on the Primrose Hill park edge. It is not considered that this will have a detrimental impact on the visual setting of the metropolitan open land and would therefore comply with policies N1 and N2 of the UDP and 4B of the London Plan.

### **Land Use and accessibility**

**Land Use:** The proposed demolition of an existing single dwelling house of 8-bedrooms and replacement with a 10+-bedroom house would result in the temporary loss of residential accommodation in the borough, but ultimately result in a larger modern replacement house. As the site lies within a conservation area, a suitable condition would secure the redevelopment of the site following demolition. The proposed demolition and redevelopment is therefore considered acceptable in land use terms and complies with policies H1, H3 and H8. The proposed dwellinghouse exceeds the residential standards with regard to size, ceiling heights, daylight and outdoor amenity space.

**Affordable Housing:** Pre-application discussions have raised the requirement for affordable housing due to the large area of the site and its potential capacity to provide for 10 homes or more, the threshold that London Plan policy 3A.11 gives for affordable housing. In response to this, the applicants have submitted a detailed planning statement outlining why they believe that an affordable housing requirement is not justified in this instance. Within this they raise the following points, which are addressed in turn.

1) The affordable housing threshold is 10 dwellings. The application proposes the replacement of one dwelling for another. The applicant argues that the capacity test is intended to address situations where 8 or 9 larger dwellings are proposed.

*Response: although the application clearly does involve the substitution of one dwelling for another, the existing dwelling has a very large floorspace (628 m<sup>2</sup>), and the dwelling proposed has a floorspace five times larger. There is no indication in the London Plan that the capacity test should only apply to schemes of 8 or 9 dwellings.*

*UDP policy H2 has been partly superseded by the 10 homes threshold in London Plan policy 3A.11, but supporting text in UDP paragraph 2.23 indicates that a floorspace of 1,500 m<sup>2</sup> is capable of supporting 15 dwellings. Logically, developments with a floor area in excess of 1,000 m<sup>2</sup> are capable of providing 10 or more units. The proposal is for a total floorspace 3,273 m<sup>2</sup>, or 2,523 m<sup>2</sup> excluding the sub-basement. The floorspace increase alone is 2,645 m<sup>2</sup>, or 1,895 m<sup>2</sup> excluding the sub-basement.*

2) The site and its surroundings are characterised in the Conservation Area Statement as being one of large single dwellings with extensive garden areas. The applicants argue that as the CAS states that the existing developments comprising flats in the area are not in keeping with the CA, a scheme on this site for 10 or more units would be unacceptable in design and conservation terms.

*Response: while the points raised regarding the character of the area documented in the Conservation Area Statement are acknowledged, it is considered that if a single dwelling of this floorspace, scale, mass and bulk is acceptable in design terms, then a similar building configured for*

*10 or more flats would also be acceptable.*

3) The site has a PTAL rating of 1, which is very low, and the development could not be expected to be an entirely car free scheme. This in turn raises issues of access and highway safety, as the site is located off a narrow private driveway.

*Response: the applicant's assessment of the PTAL rating is accepted, although there are good public transport services at a distance slightly greater than the distance accepted as part of the PTAL process. Camden would not be able to require a car-free agreement in this location, and so a development of 10 or more dwellings would be expected to include at least 10 car parking spaces.*

*LBC Transport Policy team advise that they would not favourably consider intensification of the vehicular use of Radlett Place due the narrowness of the access and poor sightlines at the junction with Avenue Road. However, the permission granted in 2005 (2004/2953/P) involved 12 parking spaces in total and it does not expire until 16/02/2010. An alternative 10-dwelling scheme would not necessarily involve any greater intensification of vehicle movements.*

4) Under the London Plan Density Matrix (Table 3A.2), the site would fall into the 35-80 units per hectare category. Because of the character of the area and the Conservation Area constraints, the appropriate density for the site is at the bottom of the range, which is 35 dwellings per hectare. The site measures 0.23 ha, and the applicants argue that this is reduced further when taking into account the 'buildable' area of the site due to the presence of TPO'd trees, which they calculate as 0.172 ha. Based on these figures, the applicants argue that the capacity of the site is between 6 and 8 units.

*Response: it is not possible to give a definitive judgement about the category of the London Plan Density Matrix that should apply to the site. Even if the applicants' judgement is accepted, and the site falls within the 35-80 units per hectare category, it does not follow that the maximum appropriate capacity for the site is 6 to 8 units. A figure in the middle of the range instead of at the bottom would also be considered appropriate. Proceeding on this basis, a density of 60 units per hectare would give a site capacity of 13.8 units based on the whole site area of 0.23 ha. There is no indication in the London Plan that the density matrix should be applied on the basis of net areas after subtracting space for features like retained trees, but if the reduced 'buildable' site area was adopted, a density of 60 units per hectare would still give a site capacity of 10.32 units. Either mid-range calculation gives a site capacity exceeding the affordable housing threshold.*

5) Issues of density and associated affordable housing requirements were not raised during the course of the previously approved scheme in 2004.

*Response: the previously approved scheme (considered in 2004 and granted permission in 2005) was assessed under the policies of the Camden Unitary Development Plan 2000. The affordable housing policy background has changed significantly since this time, through the adoption of the Replacement UDP in 2006, the issue of the London Plan in 2004 and the further alterations to the London Plan in February 2008.*

The applicants were asked to consider making a contribution to off-site affordable housing, and asked to support any proposed offer of a financial contribution with a financial viability appraisal. Such an appraisal has been submitted as part of this application.

The applicant's statement also argues that the thresholds in the London Plan and the Replacement UDP had not been reached. The applicant's position is that 35 units per hectare was the maximum appropriate density for the site and that the Committee report on the approved scheme (considered in 2004 and granted in 2005) indicated that the 6 unit scheme exceeded the density standards for the area applying at that time.

There is certainly merit in some of the points made by the applicant in the planning statement and supported by the legal advice; however elements can be refuted. Individually, none of the points are considered to warrant the view that the site should make no contribution to the supply of affordable

housing. However, the points need to be considered together, along with all the other merits of the proposal, and weighed against the case for assessing the site as one with capacity for 10 or more units. It is a finely balanced argument, but on balance it is considered that the floorspace, scale, mass and bulk proposed could accommodate 10 dwellings without detriment to the character of the conservation area or to highway safety, and therefore a contribution to affordable housing is justified. Consequently, the application is contrary to UDP policy H2 and London Plan policies 3A.10 and 3A.11.

**Financial valuation report:** It is acknowledged that the site is one of unique characteristics in terms of size, scale and value within the context of this part of LB Camden and London as a whole.

London Plan Policy 3A.10 requires boroughs to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed use schemes, having regard to their affordable housing targets adopted in line with Policy 3A.9, the need to encourage rather than restrain residential development and the individual circumstances of the site.

The evidence suggests that the proposed building does not meet with normal expectations for this locality and is less viable or profitable than other alternative options and therefore built to individual requirements for which profit is not the primary motive.

An alternative scheme assessment which has been put forward by the applicant demonstrates that an alternative scheme for two dwellings on the site would be capable of generating significant residual values which would enable the scheme to make a contribution towards affordable housing. This scheme would generate a surplus over EUV. In effect the proposed single unit not only makes a significant loss but forgoes the opportunity to make a profit. This underlines the fact that commercial considerations do not appear to be a driving factor behind this proposal and therefore it is reasonable to assume that an off site payment towards affordable housing would similarly not “restrain” development”.

The report also tried to address with building costs, by providing limited information and estimates. It is considered that the specification of the development is based on ‘projects’ of similar nature’ and not definitive enough and specific to this development. Accordingly, sufficient information has not been provided to justify that a contribution towards affordable housing cannot be made.

**Lifetime Homes standards:** The proposed replacement dwellinghouse will be constructed according to Lifetime Homes standards and include a main entrance at street level, a living room at ground level, kitchen and WC at ground level, internal lift installation, improved access to garden and good lighting to front canopy. All floors provide generous proportions to allow for wheelchair users. The proposal therefore complies with ‘Lifetime Homes’ standards and policies SD1 and H7.

### **Residential amenity**

The site directly adjoins nos. 30 and 34 Avenue Road. The distance between windows at its closest point is over 17m between the proposed rear of building and no. 34. A 3.4m high pool annex is proposed on the boundary with no. 34. The boundary wall between properties shows to be 2.4m high. This increase in bulk, of 1m in height, over 11.5m long is considered acceptable in this urban context, given the distance of some 17m between the two points.

The distance between the proposed terrace and windows above it - facing south-west, towards no. 34, is some 30m. This is considered acceptable and is not considered to result in overlooking or loss of privacy. The terrace is at lower ground level and due to the distances between private windows, as mentioned above, is it considered in principle that no harm is likely to any other properties. The proposal therefore complies with policy SD6.

**Noise:** The proposals include the provision of plant at basement and sub-basement levels. The noise study submitted with the application states that the proposed plant can operate in accordance with Camden’s standards. This report has been assessed and found acceptable by the Council’s Environmental Health Pollution Team, subject to condition requiring all of the plant to operate within

the Council's noise standards. Subject to these conditions the proposed plant is considered to comply with Policies SD6, SD7 and SD8.

### **Trees, landscaping and biodiversity**

There are three mature London Planes on the property, one of which is covered by TPO 37H. It is considered that the arboricultural report submitted with the application is a true representation of the impact the development will have on the trees on site. The report concludes that providing the recommended protection measures are put in place there will be minimal impact on the trees (and less impact than a previously consented scheme). Airspading has been undertaken where the RPA of trees are encroached upon and has identified minimal roots activity in these areas.

The proposed landscape design details are considered acceptable and will enhance the ecology and interest of the garden, which currently largely consists of expanses of lawn with little ecological value. The above is considered to comply with policies N8. In a scheme that was in all other respects acceptable the council would impose a conditions requiring tree protection measures and details of hard and soft landscaping

**Biodiversity:** The scheme is to have green roofs incorporated on many of the roofs which will help enhance the ecology and sustainable drainage of the site. This is considered to comply with policy N5. In a scheme that was in all other respects acceptable the council would impose a condition requiring details of the green roof and a method statement for maintenance.

**Light impact study and impact on Primrose Hill:** initial concerns were raised over the impact of a glazed elevation facing Primrose Hill park. The Light Impact study shows that the subsidiary non-principal rooms such as the double height library and dressing room have therefore been located at the end of the building facing Primrose Hill, with the upper floor study considerably recessed back from the edge of the building, the main living areas have been located to the centre of the building away from the park edge with views focused onto the garden.

A light strategy is being used in order to minimise light pollution onto the park elevation. As mentioned above in paragraphs 6.2.9-10 the above measures are welcomed. The Light Impact study has been assessed by the Arboricultural Officer and found satisfactory. It is therefore considered that no harm is likely to Primrose Hill park, and in particular to views from it and wildlife. The proposal is considered to comply with policies SD7 and N5.

### **Transport**

This application is for a large single dwellinghouse with staff and guest accommodation. Radlett Place is a private road off Avenue Road and Avenue Road forms the borough boundary with the City of Westminster. The site has a Public Transport Accessibility Level (PTAL) of 1 (very poor), and there is space for about 6 cars currently. The proposals would reduce this to 4.

Cycle parking has been shown at ground floor level. This is acceptable and complies with policy T3.

Camden's Parking Standards state that a maximum of one space per residential unit is permitted. Therefore, a maximum of 1 car parking space is permitted for this development. However, the site has around 6 spaces presently and the proposals would actually reduce this to 4. In addition, several staff would serve the occupants of the house, some of whom will work late at night and will have to travel to and from the site at times when using public transport is difficult. Therefore, the overprovision of parking proposed is acceptable and considered to comply with policy T7 on balance.

The site is very constrained and the exit from Radlett Place (which is a private road) onto the public highway (i.e. Avenue Road), is tight and has poor lines of sight. It is considered that works will have to be managed carefully to protect the safety of pedestrians, as well as reduce the impact of the vehicle trips associated with constructing the large dwelling which involved the excavation of a large basement.

A Construction Management Plan outlines how construction work will be carried out and how this

work will be serviced (e.g. delivery of materials, set down and collection of skips), with the objective of minimising traffic disruption and avoiding dangerous situations for pedestrians and other road users. This application for the proposed development has not provided adequate information regarding how this development will be constructed or serviced during construction. Therefore, and in order to comply with policy T12, a Construction Management Plan would be required. In a scheme that was in all other respects acceptable the council would secure this via a S.106 planning obligation. In the absence of such an agreement the proposal fails to comply with Policy T12.

The construction of the development will be likely to cause damage to the footway and vehicular crossover as access to the site is very tight and a large amount of work is taking place. In order to comply with policy T12, a financial contribution is required to repave the footway and the vehicular crossover at the junction of Radlett Place (which is a private road) with Avenue Road. In a scheme that was in all other respects acceptable the council would impose a conditions this contribution and any other work that needs to be undertaken within the highway reservation would be secured through a Grampian condition. The Council would undertake all works within the highway reservation, at the cost of £4,700 to the developer.

### **Sustainability**

The Environmental Statement for this proposal states that this building will aim to reduce energy use, be energy efficient, supply energy more efficiently by using a ground source heating and cooling system and use renewable energy for generating hot water with solar thermal panels at roof level. The submitted data indicates combined savings through energy efficiency, low carbon and renewable technologies of 47% of CO<sub>2</sub> emissions. The following are noted in particular:

- Building fabric better than required by the Building Regulations – inc. insulation to go beyond building regulation standards and some are best practice U-values
- Comfort Cooling provided by a Ground Source Heat system - will save 44% of the Building Regulations carbon emissions
- Natural ventilation with opening windows for normal use
- Mechanical ventilation for individual rooms as required on demand, which means no electricity use when the rooms are unoccupied
- Design measures to ensure solar gain in winter and shading in summer, natural cross ventilation, strategic location of rooms, thermal mass of building to regulate heat (with use of eco-concrete)
- Provision of solar thermal and photo voltaic panels at roof level
- Optimise the use of daylight, and at least 40% of the fixed internal lighting system to be energy efficient
- A water strategy that reduces water use through water efficient fittings, captures rainwater for garden irrigation and supplying the washing machine, re-uses grey water from showers and baths for flushing toilets, reduces water run off with a green roof and by providing hard surfaces with permeable materials as part of a Sustainable Urban Drainage System
- Re-using materials where possible and providing space for segregated recycling
- A combined Heat and Power system is not incorporated into this scheme. The applicants have confirmed that while the building will be occupied all year round; the pool will not. It has been justified that CHP will not be financially viable in this scheme and this has been considered acceptable in this case.

The proposal meets the Code for Sustainable Homes – level 4. This is welcomed and complies with policy SD9.

### **Refuse and Recycling**

The proposal includes adequate refuse and recycling storage at ground floor level.

### **CONCLUSION**

The proposed demolition and redevelopment of the site is considered acceptable within the context of this area and is considered to preserve the character and appearance of the Conservation Area. The design and materials are of a high quality and are considered to complement the character and

appearance of the area.

The proposed building would not result in a detrimental impact on the existing amenities of the occupiers of the adjoining properties in accordance with Policy SD6.

The scheme is considered to generally comply with most of the relevant UDP policies, the Camden Planning Guidance 2006 and PPG15; however, it does not comply with policy H2 and the associated London Plan policies 3A.10 & 11. Whilst this rests on a finely balanced argument, it is considered that the floorspace, scale, mass and bulk proposed could accommodate 10 dwellings without detriment to the character of the area or to highway safety, and therefore a contribution to affordable housing is required.

The submitted financial evidence does not demonstrate that the provision of affordable housing or a financial contribution in lieu would restrain residential development on the site. Consequently the failure to make a contribution to the supply of affordable housing is contrary to Policy H2 of the London Borough of Camden Unitary Development Plan 2006 and Policies 3A.9, 10 and 11 of the London Plan 2008 (Consolidated with alterations since 2004).

Planning Permission is recommended to be refused for this reason.

Whilst the demolition of the existing building is acceptable on its merits, and indeed consent has already been granted for such demolition, it would be inappropriate to grant consent in the absence of a suitable replacement scheme, and conservation area consent is recommended to be refused for this reason.

### **Disclaimer**

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