

Address:	4 St Augustines Road London NW1 9RN		
Application Number:	2008/4783/P	Officer: Sara Whelan	
Ward:	Cantelowes		
Date Received:	07/10/2008		
Proposal: Erection of basement and part three, four and five storey building to create nine residential units (Class C3) plus associated disabled parking, cycle and refuse stores and landscaping.			
Drawing Numbers: 1700/01 D; 02 E; 03 E; 04 F; 05 F; 06 F; 07 F; 08 F; 09 F; 10 E; 11 E; 12 E; 13 F; 14 F; 15 E; 16 E; 17 F; 18 E; 1700/C/01; 02; HPR C R W C 01 01; Photosheet x4; Environment Statement; Daylight & Sunlight Report; Environmental Noise Assessment; Interpretative Report on Site Investigation and Palette of Materials; Design & Access Statement			
<b>RECOMMENDATION SUMMARY: Granted Subject to a Section 106 Legal Agreement</b>			
Applicant:		Agent:	
Damsonetti UK Ltd c/o Agent		DP9 100 Pall Mall LONDON SW1Y 5NQ	

#### ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	<i>Sui Generis</i>		633m <sup>2</sup>
Proposed	<i>C3 Dwelling House</i>		1,200m <sup>2</sup>

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>		5	3	1					

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

#### OFFICERS' REPORT

Reason for Referral to Committee: Any grant of permission would result in the creation of five or more residential flats and would require the conclusion of a Section 106 Planning Obligation relating to, inter alia, matters outside the normal scheme of delegation [Clauses 3 (iii) and (vi)].

## 1. **SITE**

- 1.1 The application site comprises a vacant site which does not have any authorised use. It is enclosed by a 2m high brick wall on elevations facing St Augustines Road and Agar Grove. This solid brick wall with recessed panels is likely to have been built at the same time as the railway. The previous use of the site was as a builders yard on a temporary planning consent which has expired (see history in section 3). Formerly there was a pair of 19<sup>th</sup> century villas with triangular front garden, these were demolished after the widening of the railway in 1898.
- 1.2 The application site is triangular in form. Agar Grove which bounds the southern and eastern boundaries of the site predominately consists of three-storey semi-detached Victorian villas raised on basements. The semi-detached villas date from the 1860s. Both sides of the street have strong building lines and houses generally identical in design. These properties provide a rhythm to the street scene. However Nos. 33-47 consist of two long 1950s blocks containing thirty flats, built on the site of the 1860s villas destroyed during World War II. They are three storeys high and read as a modern development. This flattened development does not maintain the rhythm of the street scene.
- 1.3 St Augustine's Road also comprises three storey semi detached Victorian villas. These properties mostly feature stuccoed fronts, some dormer windows and are accessed up flights of steps. The road has a sense of rhythm similar to Agar Grove.
- 1.4 The application site is located within the Camden Square Conservation Area. The site faces onto a junction with Agar Grove, St Augustines Road and Murray Street. The area provides a panoramic view of the railway lands, the distinctive skyline of the railway termini and the West End beyond. The site is not located in close proximity to any Listed Buildings. The application site has been identified in the Camden Square Conservation Area Statement as a development opportunity site.

## 2. **THE PROPOSAL**

### Original

- 2.1 The application seeks to erect a maximum 5 storey building plus a basement level. The building would increase in height from 3, 4 and 5 storeys towards the apex of the triangular site. The building line of the main building would approximately follow the established building line of St Augustines Road and Agar Grove. The building would have a curved elevation facing the junctions of Agar Grove, St Augustines Road and Murray Street. The curved elevation would be expressed from the elevation of the main building.

- 2.2 The building would accommodate nine residential units. The mix of units would be 5 x 2 bedroom units 3 x 3 bedroom units and 1 x 4 bedroom units. The majority of the units would have access to an area of amenity space either as a terrace at basement level or balcony at upper levels. One unit at ground floor level would have no access to outdoor amenity space. The existing crossovers would be retained as existing. There would be one disabled parking space and reversing space available from an access on St Augustines Road. There would be two pedestrian accesses from St Augustines Road and Agar Grove. A refuse and recycling store would be located in triangular point of the site close to the junctions with St Augustines Road and Agar Grove.

Revision[s]

- 2.3 The design and materials of the new building has been amended throughout the planning application. The detailed design, height and overall material palette have been amended in accordance with advice provided by the Council.

### 3. **RELEVANT HISTORY**

- 3.1 2008/2989/P - Erection of basement and part three, four and five storey building to create nine residential units (Class C3) and associated parking and landscaping – withdrawn (23 September 2008).

### 4. **CONSULTATIONS**

#### **Statutory Consultees**

- 4.1 Network Rail – no objection however have suggested a range of informatives and conditions to be attached to any permission granted.

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

- 4.2 Camden Square Conservation Area Advisory Committee – Objections received on 2 March, 22 March and 26 March
- concern that the other development sites in the area should all be viewed as a whole
  - there is tradition in the area of giving special treatment to corner sites
  - little variety in variation, all windows are the same size
  - the Agar Grove elevation bears little relationship of the rest of the street
  - ambiguous notes on plans re the colours/materials proposed e.g. unsure of the colour of the vitreous tiles, no stone cornice shown on plans
  - technical faults on the drawings when comparing the sections and plans
  - wider contextual plans should be made available
  - concerns regarding the internal layout
  - the semi-engaged stone pilotti at ground floor level are potentially attractive
  - object to the rubbish shelter this would not improve the appearance of the Conservation Area
  - the white render would stain badly

- with adjustment of some materials and colours as well as reduction in bulk and clarification of details, the general style of the proposal has the potential to provide a distinctive yet appropriate punctuation to this pivotal entrance to the Conservation Area
- the position of the existing bins in St Augustines Road should be considered in this application
- the cycle storage area is inconvenient for the residents
- having the back facing the street will raise significant security issues
- there should be affordable housing in the scheme
- enforcing parking restrictions is going to be difficult

#### Camden Square Neighbourhood Association – Objection

- concern regarding the bulk
- concern of technical accuracy of the drawings
- drawings should include the Murray Arms and the previously approved scheme opposite on St Augustines Road to put proposal in context

#### Adjoining Occupiers

	Original	R1
<i>Number of letters sent</i>	47	47
<i>Total number of responses received</i>	59 objections received in total	
<i>Number of electronic responses</i>	43	

4.3 Objections have been received from the following addresses, 6, 7a, 9, 11, 12, 12a, 14, 16, 22, 23, 24, 29, 30a, 32a, 50, 52, 53, 54, 353 St Augustines Road, 89/91 Bayham Street, 98, 106a Agar Grove, 50 Marquis Road, 37 Camden Square, 9a Murray Street, 14 St Pauls Crescent, 2.5 Ospringle Road, 5, 35 Camden Square, Camden Square Neighbourhood Association and have raised the following concerns;

- application site is on corner so it will be viewed from three streets
- welcome the idea of the site being developed
- the tower at 5 stories will tower above the area
- this tower should not be the gateway to the conservation area
- our wonderful view of the city will be blocked
- the building does not harmonize with the area
- the proposal does not maintain the rhythm of the area
- the building may look striking from St Pancras but will not be good to live in the shadow of this monster
- the mass, density and materials do not take account of the context of the area
- the responsibility of its design is the opportunity of a lifetime
- the building is overbearing
- lack of architectural design
- London brick would be more in keeping with the area
- the curved penthouse roof is completely at odds with the other buildings in the area
- its height is aligned with the houses on St Augustines road which are up a hill

- any proposal must be similar style to the area
- size of the windows are too large
- overdevelopment in a conservation area
- building design in poor quality
- think the proposal should only have 3 stories
- concern regarding elderly persons living in the area and how the disrupted roads and pavements would be affected
- the area is encouraging cycles in the area
- the area is home to nature such as squirrels etc it would be a pity if the air traffic in the area affected them
- specific measures should be made to prevent materials and dust
- the building will be built on the embankment of a railway in the 70s and 80s which had impacts of subsidence
- concerned about additional noise throughout construction
- there is already a mouse and rat problem in the area this will increase it
- the other vacant sites and sites with planning permission granted should be taken as a whole
- concern regarding plants at no. 6 St Augustines which are part of a business
- the daylight and sunlight report incorrectly states that pp has been implemented at no. 6
- concerned that the proposed basement may have impact on structure of no. 6
- scheme should include affordable housing
- has the possibility of development on the other side of St Augustines Road and Murray Mews by the same developers been taken into account?
- loss of light to bathroom at no. 4 St Augustines Road
- party wall issues with no. 6 St Augustines Road
- we struggle to find on street parking at the present time
- there could be as many as 21 extra cars in the area
- the building wont comply with building regulations

## 5. **POLICIES**

Replacement Unitary Development Plan 2006

- 5.1
- SD1 Quality of life
  - SD2 Planning obligations
  - SD3 Mixed use development
  - SD4 Density of development
  - SD6 Amenity for occupiers and neighbours
  - SD9 Resources and energy
  - SD12 Development and construction waste
  - H1 New housing
  - H2 Affordable Housing
  - H7 Lifetime homes and wheelchair housing
  - B1 General design principles
  - B7 Conservation areas
  - B9 Views
  - N4 Providing public open space
  - N5 Biodiversity
  - N8 Ancient woodlands and trees

- T1 Sustainable transport
- T3 Pedestrians and cycling
- T4 Public transport
- T7 Off-street parking
- T8 Car free housing and car capped housing
- T9 Impact of parking
- T12 Works affecting highways

### **Other Relevant Planning Policies**

- 5.2 None

### **Supplementary Planning Policies**

- 5.3 Camden Square Conservation Area Statement
  - Planning obligations
  - Car free housing
  - Provision of Public Open Space
  - Planning Policy Statement 1: Delivering Sustainable Development
  - Planning Policy Statement: Planning and Climate Change – Supplement to Planning Policy Statement 1
  - Planning policy Statement 22: Renewable Energy

## **6. ASSESSMENT**

- 6.1 The main considerations in determining this application are as follows;
  - a) Principle of change of use and new residential accommodation
  - b) Impact upon Camden Square Conservation Area
  - c) Residential amenity of neighbouring properties
  - d) Residential amenity of future occupants
  - e) Sustainability
  - f) Transport

### **A) Principle of change of use and new residential accommodation**

- 6.2 The last known lawful use of the application site is as a builder's yard. The site has been vacant for a number of years. The site has not been safeguarded for a particular use in the Unitary Development Plan. Policy H1 states that the Council will seek to meet and exceed the strategic housing target for the Borough. Therefore the Council would support the loss of a vacant builder's yard and would encourage the provision of residential accommodation on the site.
- 6.3 The gross external area of the proposal would be approximately 1,200 sqm. Generally the Council would seek to achieve a contribution towards affordable housing for development over 1,000 sqm. This has been discussed with the applicants and a further justification has been received explaining why only nine units and no affordable housing has been proposed. The applicants have designed all the units to be in accordance with lifetime homes which have resulted in larger

units to accommodate the required circulation spaces. The proposal has been designed to achieve a good mix of units including three and four bedroom units.

- 6.4 The site is constrained by its unusual triangular shape. The building envelope is determined by the physical constraints of the area. The building line of the proposal has followed the established building line of Agar Grove and St Augustines Road. This is a key feature of the design to respect the relationship with the adjacent pavements and highways in order to preserve the character and appearance of the conservation area. In addition the proposal has followed the height of no. 6 Augustine's Road, although it has risen towards the apex of the triangular site. It is not considered that the building envelope can increase to include more units or affordable housing.
- 6.5 In addition approximately 25% of the application site sits above a railway bridge, therefore the form of the building has to be located within a site area of 479 sqm rather than the 'actual' site area of 630 sqm. In terms of density the site has a public transport accessibility level of three. The scheme has 32 habitable rooms and site area of 0.63 ha, amounting to a density of 507 habitable rooms per hectare. This is well within the 300-650 habitable rooms per hectare for 'central' locations as set out in table 3A.2 of the London Plan. Considering the reasons laid out above it is thought that on balance, considering the constraints of the site that the amount and the mix of the units are acceptable and that no affordable housing would be required at this application site.
- 6.6 Policy H8 of the UDP seeks to secure a range of unit sizes within developments, including large and small units, in order to address housing need in the Borough. In summary the scheme proposes; 5 x 2-bed units, 3 x 3-bed units and 1 x 4-bed units. The proposed mix is considered to be acceptable and in accordance with Policy H8.
- 6.7 In line with Policy SD2 and guidance within the Camden Planning Guidance 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 current unit numbers and mix, a contribution of £56,559 is required. This amount would be secured part of a Section 106 legal agreement.
- 6.8 Other than some small courtyards and terraces, no outdoor amenity space is proposed as part of this application. The unit mix proposes a number of larger units, and therefore a contribution to open space should be sought. The Council has requested that a financial contribution to the Council's open space fund is secured by a Section 106 agreement. This amount should be ring fenced to secure improvements to existing or the provision of new open space, be made. In line with the Camden Planning Guidance methodology a contribution of £12,705 is required. This would be secured by a Section 106 legal agreement.

#### B) Impact upon Camden Square Conservation Area

- 6.9 Agar Grove and St Augustine's Road are both characterised by confident semi detached classical detailed town houses with strong principle floors. The proposal site, however, gives way to a more varied townscape and raises more complex

urban design consideration. The site is open to a number of views. Unlike much of the buildings in the Camden Square Conservation Area, which present only one elevation to the public realm, a multi faceted form is required at this application site.

- 6.10 The St Augustine's Road and Agar Grove elevations of the proposal draw on the strong rhythms and proportions of either street. The balance in vertical and horizontal emphasis, coupled with a subtly expressed hierarchy and load bearing massed character found in the neighbouring façades has been reflected in the elevations. Architrave surrounding the windows, stone copings and rusticated ground floor is considered to respond to the context of the application site.
- 6.11 The corner, which faces away from the conservation area, towards the junction is handled in a freer more contemporary manor, but retains a similar language of solid and void and hierarchy. The elevations steps up towards the prominent junction forming a curved façade with a freer fenestration pattern and generous recessed balconies providing form and contrast through shadow. On St Augustine's Road and Agar Grove windows and balconies are set behind the return of curved wall providing additional depth, articulation and interest. The ground floor is recessed rather than rusticated, which the top storey is lightened through not having a soffit above the recessed balcony, voids cut into the curved wall to frame sky with a lightweight timber construction behind.
- 6.12 It is considered that the application site can accommodate additional height compared to the surrounding area as it is a corner plot which occupies a prominent and open position within the area and wider conservation area. The five storey height at the corner relates to the taller Victorian properties further along St Augustine's Road. It is considered that the height, bulk, mass, design and detailed design of the proposal would preserve the character and appearance of the Camden Square Conservation Area.
- 6.13 It is considered that the materials and quality of the finish of this building is of upmost importance considering the context of the application site. The Council has received detailed information regarding the proposed materials and finishes of the building. The proposal would include bush-hammered limestone to be used on the ground floor. It is considered that this would address the character of the heavy rusticated treatment on the surrounding Victorian properties. Vitreous tiles and render finish would be used on the main storeys, the copings would be in stone and window frames are timber. It is considered that the materials and details of the proposed building respond to the neighbouring properties and would preserve the character and appearance of the conservation area.
- 6.14 The proposed bicycle shed and refuse storage area would be approximately 0.5m higher than the existing wall. An area of open steel mesh and the flat roof would be visible from the street scene. It is considered that the height, size or design of the proposed storage areas would preserve the character and appearance of the conservation area.

### C) Residential amenity of neighbouring properties



- 6.15 A sunlight and daylight report has been submitted as part of the application. This report takes account of the windows on the flank elevation of no. 6 St Augustines Road. It confirms that these windows serve non-habitable rooms. However, one of the windows serve a dressing room, the average daylight factor for the existing dressing room is 1.12% which would be appropriate for a room of this nature. The BRE guidelines require that all windows within 90% of due south should be considered to confirm whether a loss of sunlight may occur. The dressing room window on the flank elevation will achieve 19.72% annual probable daylight hours and 4.23% during the winter. Although these amounts do not meet the 25% and 5% targets laid out in the BRE guidelines, it is important to note that the target figures are guidelines and it is considered that on balance considering that the window in question is a dressing room that the predicted levels of sunlight would be acceptable.
- 6.16 The proposed building would follow the building lines of the St Augustine Road and Agar Grove frontages. It would be adjacent to the flank elevations of no. 6 St Augustine's Road and no. 2 Agar Grove. The flank elevations of these properties do not include any principle windows to habitable rooms. The proposed building would be positioned 1.6m from the flank building line of no. 6 St Augustine's Road and 14m from the flank elevation of no. 2 Agar Grove. Considering the siting of the proposed building and the distances to the neighbouring properties it is not considered that any detrimental impacts of overshadowing or dominance would occur upon the adjacent properties.
- 6.17 The proposed building would include principle windows on the flank elevation. These would face onto the flank elevation of no. 2 Agar Grove, however, this elevation of the adjacent properties does not include any windows. The separation distance would be 14m. Considering the separation distance and that no. 2 Agar Grove does not have any windows on its flank elevation it is not considered that any detrimental impacts of overlooking would occur upon the adjacent properties.

#### D) The residential amenity of the future occupants

- 6.18 The proposed residential units would all meet the minimum requirements of space and room sizes as laid out in the Camden Planning Guidance. Each habitable room would have a window providing light and ventilation. It is considered that the internal layout of the units would provide an acceptable level of residential amenity for the future occupants.
- 6.19 The majority of the units would have access to a small balcony or terrace area which would provide the occupants with an area of outdoor space to 'sit out'. Ideally the application site would have capacity to include an area of communal outdoor space. However the application site is constrained as it is an island site and is an irregular shape. Therefore the Council would request that a financial contribution towards open space in the area is secured by a Section 106 legal agreement.
- 6.20 The proposal has been designed in accordance with the Lifetime Homes criteria and the Council is satisfied that the scheme would meet the requirements of all 16 of the Lifetime Homes criteria. In particular an accessible parking bay would be provided adjacent to the block of flats. The Council welcomes this parking bay and

would attach a condition stating that the parking bay is clearly marked for disabled users only.

- 6.21 The application site is in close proximity to a railway line serving St Pancras Station, approximately 1 mile to the south. A comprehensive investigation of environmental noise levels in the vicinity of the proposed development site has been made to enable assessment of the proposed development against relevant environmental noise criteria used to gauge the suitability of the environment for residential development, and establish appropriate noise limits for the development. The results of measurements across the site indicate noise levels at measurements positions defined by the PPG 24 NEC scheme to be NEC B and C. The implications of category C are such that the site can be demonstrated to be suitable for residential development; however conditions should be attached to any permission granted to ensure that the building fabric is designed to provide appropriate internal noise levels within the residential dwellings. An environmental noise assessment has been submitted as part of the application and demonstrates that acoustic glazing system in conjunction with acoustically rated passive air intake systems can enable the internal noise criteria to be achieved. Therefore a condition would be attached to any permission granted requiring details of the proposed techniques.

#### E) Sustainability

- 6.22 The applicants have submitted a Code for Sustainable Homes assessment which indicates that the development can achieve a Level 3 rating, which is the minimum requirement under the UDP. In addition to this, the assessment highlights that the development can meet the percentage targets in the Energy, Water and Materials sections, as required by the Camden Planning Guidance. A full code for Sustainable Homes pre and post assessment would be secured by a Section 106 obligation.
- 6.23 This application is not a major development as it would not provide ten or more units. However the applicant has taken account of the sustainable technologies in order to meet code level 3 of the Code for Sustainable Homes and the energy demand to be supplied by renewable energy would be 32.12% of the total demand. This reduction is met by implementing 2 sqm of solar thermal panels. In addition green roofs would be provided, a gas save system would be installed in each unit and the solar system would be installed on the southeast/southwest roof.
- 6.24 The proposed roof above the fifth floor would be a green roof. This would enhance the biodiversity of the site and is welcomed by the Council.

#### F) Transport

- 6.25 There are two existing vehicular accesses to the site and access to public transport is moderate (PTAL 3). The site overlaps with rail safeguarding sites TP1 (Channel Tunnel Rail Link) and TP5 (Thameslink) of the Camden UDP. Policy T5 relates to a new station at Midland Road. Policy TP1 indicates that development will not be permitted if it would compromise implementation of identified proposals. On agreement of the purchase of the site, Network Rail imposed various conditions on

the development of the land; including restricting any built form to the northern segment (comprising 141 sqm). According to the application material, Network Rail has confirmed they will allow balconies to overhang the notional line describing the extent of the bridge.

- 6.26 Camden's Parking Standards for cycles (*Appendix 6 of the Unitary Development Plan*), states that one storage or parking space is required per residential unit. The proposal is for nine residential units; therefore nine cycle storage/parking spaces are required for residents. The application has included provision for the required amount of cycle storage/parking in the proposed design and has designed them to meet Camden's design criteria. It is considered that the proposed cycle parking spaces are acceptable.
- 6.27 The proposed plans indicate that one off-street parking space would be provided for disabled drivers with a reversing space and no other parking. As parking for disabled drivers is excluded from car-free agreements the development should be made car-free (rather than car-capped) through a section 106 legal agreement. It is considered that the site should be made car-free as the site has a Public Transport Level (PTAL) of 3 (moderate) and is within a Controlled Parking Zone. In addition St Augustines Road is listed in Camden's Planning Guidance as suffering from 'parking stress'. Therefore the Council supports the one disabled space and requires that the applicants enter into a Section 106 legal agreement to ensure that the development is car-free.
- 6.28 The site is close to a junction and access is from two heavily parked roads. Therefore a Construction Management Plan (CMP) is required for this development. A CMP 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. A CMP would be secured by a Section 106 legal agreement and would need to be approved before any works start on site.

## **7. CONCLUSION**

- 7.1 The Council welcomes the provision of nine residential units at this site. All the proposed units would meet the room and overall space standards as laid out in the Camden Planning Guidance. The proposal includes one wheelchair accessible unit and provides a good mix of unit sizes. The design and appearance of the building is considered to preserve the character and appearance of the Camden Square Conservation Area. It is not considered that any detrimental impacts would occur upon the residential amenity of the surrounding area. The new residential units would be car-free therefore no increased pressure on parking would occur. The proposal would achieve level three of the Codes for Sustainable Homes. Overall it is considered that the proposal would be in accordance of with the Councils policies and would meet the strategic aims of the Council.
- 7.2 Planning Permission is recommended subject to a S106 Legal Agreement.

## **8. LEGAL COMMENTS**

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

## **9. RECOMMENDATION**

- 9.1 That planning permission be granted subject to conditions and to the satisfactory conclusion of a Section 106 Planning Obligation covering the following heads of terms:
- A financial contribution of £12,705 towards open space provision within the locality, in-lieu of direct provision.
  - A financial contribution of £56,559 towards education infrastructure within the locality.
  - All student units to be designated as car-free;
  - The submission of a 'Construction Management Plan'
  - A financial contribution of £37,000 to repave the footway adjacent to the site and to reconstruct the two crossovers as a continuous footway type, repave around the site, repave the triangular paved area to the west of the site and upgrade the pedestrian refuge to a proper refuge with dropped kerbs and tactile paving.
  - A full Code for Sustainable Homes Assessment prior to works commencing on site and a post construction review.