

<b>Address:</b>	Olive & Douglas Waite Houses 73 -79 Priory Road London NW6 3NJ	
<b>Application Number:</b>	2009/1534/P	<b>Officer:</b> Bethany Arbery
<b>Ward:</b>	Swiss Cottage	
<b>Date Received:</b>	03/04/2009	
<p><b>Proposal:</b> Erection of a part 3, part 4 storey building to provide 55 affordable housing units comprising (14 x 3-bedroom, 19 x 2-bedroom and 22 x 1 bedroom) with 6 car parking spaces (accessed off Priory Road), 64 bicycle spaces (56 for occupiers and 8 for visitors) and associated landscaping (following demolition of existing buildings).</p>		
<p><b>Drawing Numbers:</b> PL(00)01; PL(00)02; PL(00)03; PL(00)04; PL(00)05; PL(00)06; PL(00)007A; PL(00)008A; PL(00)009A; PL(00)010A; PL(00)011C; PL(00)012A; PL(00)013A; PL(00)014A; PL(00)015B; PL(00)016A; PL(00)17; PL(00)019; PL(00)020; PL(00)21; PL(00)22; PL(00)23; PL(00)024; L(80)004A; L(80)005B; L(80)006A; L(80)013A; L(80)014A; L(80)015A; Design &amp; Access Statement by PTEa dated March 2009 including: Appendix 1: Arboricultural Impact assessment and Tree Protection Method Statement by RGS Tree Services dated July 2008; Appendix 2: Daylight and Sunlight Report by Anstey Horne dated 9<sup>th</sup> March 2009; Appendix 3: Transport Statement and Travel Plan Statement by Campbell Reith August 2008; Appendix 4: Energy Assessment by DSSR dated 6<sup>th</sup> March 2009; Appendix 5: Ecological Report by Middlemarch Environmental Ltd dated July 2008; Appendix 6: Consultation by PTEa dated March 2009; Appendix 7: Landscape by PTEa dated March 2009; Appendix 8: Report on the Architectural Importance and Heritage Value of Waites House by Barry Stow Architect Ltd dated 14<sup>th</sup> November 2006; Appendix 9: Condition Survey and Refurbishment/Conversion Options Report by Baily Garner dated November 2004; Appendix 10: Schedule of Proposed Accommodation by PTEa dated 03/06/09; Appendix 11: Code for Sustainable Homes Pre-Development Assessment by PTEa dated March 2009; Lifetimes Homes Statement; Plan Showing Proposed Traffic Routes for Deliveries dated August 2008; Tree Survey by Caroline Hay Associates dated 13/02/08; Letter from Spectrum Acoustic Consultants dated 08/12/08; and E-mail from PTEa dated 05/06/09.</p>		
<p><b>RECOMMENDATION SUMMARY:</b> Grant conditional permission subject to S.106 agreement.</p>		
<b>Related Application:</b>	Conservation area consent	
<b>Date of Application:</b>	03/04/2009	
<b>Application Number:</b>	2009/1536/C	
<p><b>Proposal:</b> Demolition of existing buildings.</p>		

**Drawing Numbers: PL(00)01; PL(00)02; PL(00)03; PL(00)04; PL(00)05; PL(00)06; PL(00)007A; Appendix 8: Report on the Architectural Importance and Heritage Value of Waites House by Barry Stow Architect Ltd dated 14<sup>th</sup> November 2006; and Appendix 9: Condition Survey and Refurbishment/Conversion Options Report by Baily Garner dated November 2004.**

**RECOMMENDATION SUMMARY: Grant conditional conservation area consent**

<b>Applicant:</b>	<b>Agent:</b>
Mr Edward Smith Octavia Housing and Care Emily House 202 - 208 Kensal Road London W10 5BN	Pollard Thomas Edwards Architects Diespeker Wharf 38 Graham Street London N1 8JX

**ANALYSIS INFORMATION**

<b>Land Use Details:</b>			
	Use Class	Use Description	Floorspace
Existing	Class C3	<i>residential dwellings</i>	3009m <sup>2</sup>
Proposed	Class C3	<i>residential dwellings</i>	3944.5m <sup>2</sup>

<b>Residential Use Details:</b>										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	Flat/Maisonette	65	5							
Proposed	Flat/Maisonette/houses	22	19	14						

<b>Parking Details:</b>		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	2 (+4 unused due to their poor condition)	1
Proposed	0	6

**OFFICERS' REPORT**

**Reason for Referral to Committee:** The proposal constitutes a major development which involves the construction of more than 10 residential units [Clause 3(i)]. It also involves total demolition of a building within a conservation area [Clause 3(v)] and the making of a planning obligation under Section 106 of the Town and Country Planning Act 1990 [Clause 3(vi)] in relation to matters for which the Development Control Manager does not have delegated authority.

## **1.0 SITE**

- 1.1 The application site is located on a prominent corner at the junction of Woodchurch Road and Priory Road. The existing building on the site, which is known as Olive and Douglas Waites House, was completed in the late 1960s and is owned by Octavia Housing. It was originally constructed as a building for the elderly and is formed of three curved blocks which enclose a central landscaped garden. The existing building provides 70 residential units in a mix of 35 studios, 30 x 1-bedroom flats and 5 x 2-bedroom flats. The building is situated within the Swiss Cottage Conservation Area. It is not identified within the Swiss Cottage Conservation Area Statement as being a building of local interest.
- 1.2 The building, which is formed of stacked hexagonal blocks, rises to 4/5 storeys along Priory Road, with the highest points being the section to the north of the site adjacent to 81 Priory Road and the staircore on this elevation which is set almost centrally. They rise above the height of 81 Priory Road, which is only 2-storeys plus roof. The building is more modest in scale along Woodchurch Road, being predominantly 3-storeys in height, rising to 4-storeys at the junction with Priory Road. It is also set back from the street. The building is lower than the neighbouring property at 2 Woodchurch Road, which comprises lower ground, raised ground and two upper floors.
- 1.3 The surrounding area is predominantly residential in nature, with buildings generally comprising detached or semi-detached villas of 2/3 storeys. These are interspersed with inter- and post-war development, which takes the form of blocks of flats; for example West End Court, which is located on the east side of Priory Road.
- 1.4 Both Priory Road and Woodchurch Road are streets lined with mature trees, some of which have Tree Preservation Orders.

## **2.0 THE PROPOSAL**

- 2.1 Conservation area consent is sought for demolition of the existing building on the site.
- 2.2 Planning permission is sought to erect a building comprising ground and first to third floor levels. The building is formed of 3 wings set around a central communal garden. The building is to provide 55 new affordable housing units (14 x 3-bedroom, 19 x 2-bedroom and 22 x 1-bedroom). 12 of the affordable housing units would be available for shared ownership (4 x 1-bedroom and 8 x 2-bedroom) and 43 for social renting (18 x 1-bedroom, 11 x 2-bedroom and 14 x 3-bedroom). Of the new accommodation, 6 of the units are to be wheelchair accessible units. 6 disabled car parking spaces and 64 bicycle parking spaces (56 for the occupants and 8 for visitors) are to be provided on site.

## **3.0 RELEVANT HISTORY**

- 3.1 **CTP/H5/5/A**  
Planning permission was granted on 09/08/65 for the redevelopment of nos. 73-79 Priory Road by the erection of buildings to comprise 64 residential flats for old people.
- 3.2 **CTP/H5/5/A/1117**  
Planning permission was granted on 07/01/66 for phase 1 of the buildings proposed to be erected at nos. 77-79 Priory Road by the erection of buildings to comprise 64 residential flats for old people.
- 3.3 **CTP/H5/5/A/5499**  
Planning permission was granted on 25/07/68 for phase II of the buildings proposed to be erected at nos. 77-79 Priory Road by the erection of buildings to comprise 64 residential flats for old people.
- 3.4 **CTP/H5/5/A/6052**  
Planning permission was granted on 28/11/68 for revised details of phase II of the buildings proposed to be erected at nos. 77-79 Priory Road by the erection of buildings to comprise 64 residential flats for old people.
- 3.5 **2008/4669/C & 2008/4263/P**  
Conservation area consent and planning permission were refused on 20/11/08 for the erection of a part 3, part 4 storey building to provide 56 affordable housing units (14 x 3-bedroom, 20 x 2-bedroom and 22 x 1 bedroom) with 6 car parking spaces (accessed off Priory Road), 62 bicycle spaces and associated landscaping including children's play area (following demolition of existing buildings).
- 4.0 **CONSULTATIONS**
- 4.1 **Councillor Andrew Marshall**  
Objection.
- 4.2 **Councillor Chris Philp**  
The proposal fails to protect, enhance and conserve the area as required by the conservation area rules. The Development Control Committee should reject this application.
- 4.3 **Primary Care Trust**  
No reply to date.
- 4.4 **English Heritage**  
No comment. This application should be determined in accordance with national and local policy guidance, and on the basis of your specialise conservation advice.
- 4.5 **Combined Residents Association for South Hampstead (CRASH)**
  - Not convinced that repair and refurbishment is not an option.

- The existing buildings are of local interest and their demolition and replacement should not be consented unless a replacement scheme enhanced or preserved the conservation area.
- The proposed design lacks the ambition and interest of the existing buildings
- The proposed design fails to address its surroundings; there are no gaps in the elevation which allow views through to the interior of the site.
- The inset glazing dividing Priory Road is formulaic and does little to mitigate the reality of a continuous street frontage.
- The proposed building has a flat and regular elevation and a continuous flat roofline which lacks response to the intricate and heavily detailed frontages and roofscapes of the surrounding Victorian buildings.
- A monolithic development with little modulation of its street elevations and a dull roofscape resulting in a heavy, bland appearance which would detract from the handsome, highly modelled street elevations of the surrounding properties.
- Does not reflect the variety and interest, playfulness and articulation that characterise surrounding properties.
- There are no views through and no variation in height.
- The proposal does not preserve or enhance the conservation area.
- The density is too high for a suburban setting.
- Will set a precedent for future development of this scale in the conservation area.
- The existing building forms an integral part of the social fabric of the area, the pathway and arch have a welcoming manner; the new scheme is a self-contained entity separate from its surroundings with no welcoming entrances from the street.
- All the units are built to face inwards towards the courtyard, turning its back on the surrounding community.
- This is not a burglary hot spot, only one burglary has occurred in the last 6 weeks and the safer neighbourhoods team state that there has been no reported burglaries in Waites House for 4 years, the gate is not justified.
- Lack of quality amenity space for residents.
- The incorporation of solar panels and green roofs is welcomed.
- Octavia has negotiated a sensitive lettings policy and anticipate that only 145 of the 182 bedspaces will be occupied. Surely a waste of resources? A smaller building could be built and fully occupied. Increase in traffic and pressure on parking.
- Increased pressure on school places.
- Materials should be agreed in advance of permission being granted and not left to condition.

#### 4.6 **Waites House Tenants Association (WHTA)**

The majority of tenants in the Waites are looking forward for work on site to begin. There have been many meetings over the last two and a half years with a small group of tenants meeting up with Octavia, Inspace and PTEa each month and then reporting back to tenants at the WHTA meeting. We are pleased with the look of the new build and find the severe criticism of CRASH unfair, after all there are a number of other blocks of flats in the local vicinity, Sidney Boyd Court, West End Court opposite the Waites and Parsons Lodge to name a few and we

feel the development fits in well. The new build will be beneficial, appropriate, climate friendly and help reduce a fraction of the 17,000 people on the housing waiting list.

**4.7 Aberdare Gardens Residents Association**

Object to the development despite the revisions made. The revised proposal would permit too great an intensity of residential occupation. Although the existing structure is not in period with the original construction of surrounding properties, it is sympathetic to the original estate design in terms of openness of the structure and the softness of its lines in the way the new design very clearly is not. The proposed replacement structure is unwelcome and intrusive to the existing character of the area. It would represent a detrimental departure from established building lines and would constitute a most unhelpful precedent.

**4.8 Adjoining Occupiers**

Letters were sent to the occupiers of neighbouring properties on 15/04/09. It subsequently became apparent that the description of development referred to on the letters was incorrect. The description of development was amended and additional letters were sent to residents on 15/05/09.

<b>Original</b>	
Number of letters sent	228
Total number of responses received	175
Number of electronic responses	45
Number in support	6
Number of objections	169

- 4.9 A site notice was originally displayed outside the property on 10/04/09. This site notice was removed and replaced on 11/05/09 with two site notices (one on Priory Road and one on Woodchurch Road) displaying the correct description of development. The site notice was displayed from 11/05/09 to 01/06/09. The application was also advertised in the Ham & High Newspaper on 14/05/09.

- 4.10 169 letters have been received from the occupiers of neighbouring properties and Olive & Douglas Waites House raising objection to the proposal on the following grounds:

**Design Issues**

- Existing building should be preserved.
- The existing building is of the highest architectural quality and an iconic design solution for a difficult redevelopment site.
- Existing building is innovative design and in keeping with the scale, variety and interest of surrounding buildings.
- Existing building is sympathetic to the area.
- The existing building is in scale with the conservation area; it is not overbearing and respects the building line to Priory Road.
- Overdevelopment.
- Far too dense - excessive.
- Will dominate the neighbourhood.

- Loss of openness.
- Too high, too blocky, too bulky, too uniform and out-of-scale with its surroundings.
- Does not preserve or enhance the conservation area.
- Design is very ordinary and of insufficient quality for a conservation area.
- Increase visual bulk towards Woodchurch Road.
- Poor design quality.
- Insensitive to the late-Victorian architecture of the neighbourhood. The area is typified by Victorian villas with highly modulated elevations with bays, balconies, hipped roofs, turrets and porches. The flat elevations and overall impression of straight lines and flat surfaces does not reflect the variety, interest, detail, playfulness and articulation of surrounding properties.
- Hard lined architecture is against the character of the area.
- Has a cold and impersonal look.
- It will look ridiculous.
- Overpowering.
- An eyesore, quite hideous.
- Everyone in the neighbourhood is appalled by the design.
- An ill conceived design, no tinkering with the detail is going to make acceptable.
- The new buildings look like a prison or army barracks. Where are the Christopher Wrens of today? Maybe we should ask HRH Prince Charles for his view?
- The lack of information about brickwork and metal cladding is worrying.
- The monolithic terrace lacks any empathy with our street.
- Suitable for Finchley Road, but not appropriate for Priory Road.
- Characterless and totally alien.
- Lack of entrances on Priory Road creates a 'blank' element on the street diminishing the sense of community which exists.

#### **Amenity Issues**

- Loss of privacy.
- Loss of view.
- Loss of daylight and sunlight.
- Will the courtyard really provide desirable amenity space?
- Lack of amenity space for the families.
- Increased disturbance to 81 Priory Road by the insertion of the access road adjacent to the boundary.
- Noise pollution and disturbance during construction.

#### **Transport Issues**

- It is not realistic to provide car-free housing, underground parking should be mandatory.
- Increased demand for on-street parking.
- Increased traffic congestion.
- How can you implement no right to parking permits?
- Existing tenants are all elderly they probably don't drive cars.
- Disruption to traffic during construction.

### **Natural Environment Issues**

- Loss of trees and green space.
- Loss of tranquillity.
- I guess the welfare of the local wildlife (foxes and magpies) are not taken into consideration when approving planning permission?
- Loss of ground space, essential for water capture, should be prevented.
- Will put strain on drainage.

### **Other Issues**

- Unnecessary, greedy commercialism overtaking a perfectly reasonably candidate for refurbishment and update.
- This is entirely for commercial benefit and the welfare of existing tenants has not been considered, or the environmental, or social cohesion.
- The proposal will destroy perfectly liveable accommodation, what a waste of public money?
- At a time of national debt is it wise to rebuild rather than fix up?
- If an appropriate maintenance scheme was drawn up the building could be restored.
- Will increase the number of people living on the site and would become a crowded area.
- 1 and a quarter Woodchurch Road have previously been advised they cannot have a roof extension due to loss of neighbours view.
- Size of trees is not shown correctly on the drawings; they will need to be pollarded to prevent light to new residential properties.
- Disruption to the people, local environment, nature and possibly trees.
- Will set a precedent for unsuitable development in the area in the future.
- The building serves our elderly population and this should not be changed.
- The whole area is virtually a building site.
- The local area is already well served by large housing complexes.
- Would support a smaller building which prioritised the needs of existing elderly residents.
- Where will children play, on the streets?
- Teenagers will be wandering the streets and there are properties of great value which will no doubt be targeted.
- Will devalue properties in the area.
- Residents have not been properly informed of the development.
- The needs of the existing residents have not adequately been taken into account.
- It would take 3-4 years to complete and would disturb tenants who will be forced to move twice.

4.11 6 letters have been received from the occupiers of neighbouring properties and Olive & Douglas Waites House supporting the proposal on the following grounds:

- It is not worth the money to repair this building.
- The homeless being housed is of greater importance.
- The architects and Octavia have done a very good job.
- Octavia have consulted extensively with the existing residents.
- I am in favour of rebuilding as soon as possible.



- Rebuilding will employ and benefit so many people and companies.
- It is very attractive and fits in well to the street.
- The truth is a block of social housing is going to be continually opposed by some of the local residents.
- Look forward to the new improved standards in housing offered by the new development to existing tenants.
- The proposed development will not decrease the value of residential properties within the immediate vicinity.
- Occupiers of the development have been confronted by local residents claiming a tower block is to be built on this site.
- What will be the fate of the existing tenants if this is turned down?

## 5.0 **POLICIES**

Set out below are the UDP policies that the proposals have primarily been assessed against. However, it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

### 5.1 **London Borough of Camden Replacement Unitary Development Plan 2006**

S1/S2 Sustainable development  
SD1 Quality of life  
SD2 Planning Obligations  
SD3 Mixed use development  
SD4 Density of development  
SD6 Amenity for occupiers and neighbours  
SD7B Noise/vibration pollution  
SD8A Disturbance from plant and machinery  
SD9 Resources and energy  
SD12 Development and construction waste  
H1 New housing  
H2 Affordable housing  
H3 Protecting existing housing  
H7 Lifetime homes and wheelchair housing  
H8 Mix of units  
B1 General design principles  
B7 Conservation areas  
N4 Providing public open space  
N5 Biodiversity  
N7 Protected species and their habitats  
N8 Ancient woodlands and trees  
T1 Sustainable transport  
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

### 5.2 **Camden Planning Guidance 2006**

### 5.3 **Swiss Cottage Conservation Area Statement (1995)**

## **6.0 ASSESSMENT**

### **6.1 Background**

- 6.1.1 The existing building, which ranges in height from 3 to 5 storeys, provides 70 residential units (35 studios, 30 x 1-bedroom and 5 x 2-bedroom). There are currently only 29 permanent tenants (24 of who are to be re-housed within the proposed development - 5 have sought a transfer) within the building; some of the flats are temporarily being managed and leased by Westminster Co-operative on a short-term basis, and the remaining units are vacant. The existing building has experienced quite serious deterioration, and the current facilities do not meet modern residential requirements. The existing units are quite small (average floorspace figures are as follows: studios 26sqm, 1-bed 36sqm and 2-bed 64sqm), and fall substantially short of current residential development standards. The applicant has submitted a feasibility study which indicates that it would not be feasible to repair and upgrade the existing building to modern standards; hence the requirement for demolition and rebuild.
- 6.1.2 Local groups such as CRASH and local residents have suggested that the existing building should be repaired rather than demolished. The existing building is in a poor state of repair; there is nothing to suggest that this is merely due to lack of maintenance. It is considered that the innovative construction methods employed during the 1960s may have contributed to the deterioration of the fabric of the building. Whilst work could be carried out to renovate the building to deal with these issues, this would be costly, and renovation and repair work could not bring the existing units up to current residential standards without a substantial reduction in the number of units provided. It is considered in this instance that demolition and rebuild (in principle) would be the most appropriate means of providing good quality affordable housing for residents within the Borough.
- 6.1.3 A previous application for redevelopment of this site was refused planning permission in November 2008 (see para. 3.5 above). The proposed development was considered to be unacceptable in design terms by reason of its bulk, mass and detailed design. In addition, inadequate information had been submitted to justify the loss of daylight to a lower ground floor window at no. 2 Woodchurch Road and insufficient information had been submitted to demonstrate that the existing EDF substation would not cause noise disturbance to the occupiers of the new development. The remaining eight reasons for refusal were imposed due to the lack of a legal agreement to secure the following: affordable housing; construction to Lifetime Homes standards and 10% wheelchair accessible; travel plan; 34 car-free units; construction management plan; associated highways works; sustainability measures; and phasing. The current proposal seeks to address these concerns.

### **6.2 Land Use**

- 6.2.1 The planning history of the property suggests that the building was constructed specifically to meet the needs of the elderly, although it is not clear from the files if '*an element of care*' was to be provided. The applicant has clarified that,

although the accommodation continues to be targeted at the elderly, it is all entirely self-contained and no element of care is provided. It thus operates as Class C3 permanent residential accommodation rather than as a Class C2 residential institution. An objector refers to the existing accommodation as being solely for the elderly and believes it should be protected for this reason. Whilst the accommodation currently provides affordable accommodation for the elderly, neither the affordability nor the type of occupier was restricted under the planning permission.

- 6.2.2 The proposed redevelopment would result in the net loss of 15 units on site, although there would be a net increase in the amount of residential floorspace from 3009sqm to 3944.5sqm. The net loss of residential units is generally resisted by Policy H3 of the Replacement Unitary Development Plan (2006); however, in this instance the provision of a large number of affordable units, including a good proportion of family-sized accommodation, in conjunction with the fact that many of the existing units cannot be occupied due to their present condition, is considered to provide adequate justification. This justification is consistent with the requirements of policy H3, which permits a loss in the overall number of units where, for example, the development creates large affordable units and/or is necessary to bring sub-standard units up to an acceptable standard. An objector has suggested that the local area is already well served by housing. However the demand for housing, and particularly affordable housing, within the Borough continues to exceed supply; this objection is not considered to be sustainable.
- 6.2.3 The provision of solely residential accommodation on this site is considered to be acceptable (subject to compliance with other policies of the plan). Policy SD3 of the Replacement Unitary Development Plan (2006) normally seeks a mix of uses in developments, but it states that the Council will not seek secondary uses where the sole or primary use of the development proposed is housing.
- 6.2.4 It should be noted that no objection was raised to the previously refused redevelopment scheme for this site on land use grounds.

### 6.3 **Affordable Housing**

- 6.3.1 The split between affordable housing tenures should normally be 70/30 between social rented housing and intermediate housing (intermediate housing can involve a variety of housing types and tenures including shared ownership) in accordance with Policy H2 of the Replacement Unitary Development Plan (2006). The proposed accommodation is to provide 43 social rented and 12 intermediate units. In terms of floorspace, the split is 3178.9sqm social rented and 765.6sqm intermediate housing. This equates to a 78:22% split in terms of units and 81:19% split by floorspace.
- 6.3.2 The proposal thus falls substantially below the policy requirement in terms of the provision of intermediate housing. The Housing and Adult Social Care Department have advised that they are happy with the tenure split, and that the scheme has been developed in discussion with their department. The proposed tenure split is contrary to planning policy, but it is considered to meet the specific housing needs of this area and therefore is considered to be acceptable.

- 6.3.3 It should also be noted that the previously refused redevelopment scheme for this site included a similar tenure mix. It should be noted that no objection was raised to the tenure mix proposed in the earlier scheme.
- 6.3.4 The proposed minimum equity sale for the intermediate housing is 25% and the rent is not to exceed 2% of the unsold equity. On this basis, a joint income of £34,000 is required for the 1-bedroom unit, £37,000 for a 2-bedroom/3 person unit and £37,000 for a 2-bedroom/4 person unit. This gives an average cost/earnings ratio of 34%, which is only slightly above our target of 33.3%. The Housing and Adult Social Care Department are satisfied that the proposed intermediate housing will be affordable.
- 6.3.5 The Housing and Adult Social Care Department have advised that they would require nomination rights on 100% of the units, excluding those which are to be occupied by existing residents to be rehoused on the site.
- 6.3.6 All accommodation should be secured as affordable housing by a S.106 legal agreement (if permission is granted).

#### **6.4 Mix of Units**

- 6.4.1 Policy H8 states that the Council will only grant planning permission for residential development that provides an appropriate mix of unit sizes. The Council will consider the mix and size of units best suited to site conditions and the locality, and the requirements of special needs housing.
- 6.4.2 The proposal is for 55 residential units; 41 of these units are proposed as 1 and 2 bedroom units. Only 14 units in the proposed development are to be family-sized units (3+ bedrooms). It is recognised that the housing provider has to re-provide 24 smaller units for the existing tenants who wish to be re-housed. If these are taken out of the equation, then the overall mix of units is considered to be acceptable: 31 units in total with 14 x 3-bedroom units (45%). Whilst this falls slightly short of the 50% of 3-bedroom units expected by the Housing and Adult Social Care Department, they recognise that this higher level of provision could not practicably be achieved due to the high proportion of returning residents with 1-bedroom needs.
- 6.4.3 All the family sized accommodation is to be social rented housing. The social rented accommodation therefore provides a good mix of small and large accommodation: 18 x 1-bedroom, 11 x 2-bedroom and 14 x 3-bedroom. The intermediate housing is skewed towards the provision of smaller accommodation: 4 x 1-bedroom and 8 x 2-bedroom. Given the difficulty of ensuring the affordability of larger shared ownership units, this is considered to be acceptable.
- 6.4.4 The exact mix of unit sizes and their split between social rented and intermediate housing has been developed in discussion with the Housing and Adult Social Care Department. The previously refused redevelopment scheme for this site included a similar mix of units. It should be noted that no objection was raised to the mix of units proposed in the earlier scheme.

## 6.5 Standard of Accommodation

- 6.5.1 The applicant has provided a schedule of the proposed accommodation. The schedule indicates that all the accommodation accords with the residential development standards detailed in Camden Planning Guidance (2006) which require the following: 1-person 32sqm, 2-person 48sqm, 3-person 61sqm, 4-person 75sqm, 5-person 84sqm and 6-person 93sqm. The proposed standard of accommodation in terms of its size is therefore considered to be acceptable. All accommodation will have good access to natural light and ventilation.
- 6.5.2 Policy H7 of the Replacement Unitary Development Plan (2006) requires that at least 10% of all new housing be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The proposed development includes the provision of 6 wheelchair units; they are a mix of 1-bedroom (x 3), 2-bedroom (x 2) and 3-bedroom (x 1) units. The 10% target therefore is met by the proposal, and the Housing and Adult Social Care Department has advised that they are satisfied by this mix, and that there is demand for both small and large units in the area for wheelchair users. The Council's Access Officer has advised that there are elements of the layout of the wheelchair accommodation that will need minor adjustment to allow adequate clearance and circulation space for wheelchairs. Furthermore, whilst some of bathrooms are large enough, they are laid out incorrectly. The Access Officer is satisfied that the layout can be adjusted relatively easily so that the units are fully wheelchair accessible, and this would not affect the planning application.
- 6.5.3 All new units should be built to Lifetime Homes standards so that they provide for the different requirements created by changing life circumstances. The applicant has submitted a statement with regard to Lifetime Homes which indicates that all residential units have been designed to meet Lifetime Homes standards in accordance with Policy H7. The Council's Access Officer has advised that overall the proposals comply with Lifetime Homes with the following exceptions:
- Not all flat entrance doors have 300mm clear space next to the leading edge; and
  - Flats A09, A10 (second floor), A13 and A14 (third floor) do not have WC layouts which meet the standards.

In both cases the standards could be achieved with very minor amendments to the layout, which would not affect the planning application.

- 6.5.4 The wheelchair units and the construction of all accommodation to Lifetime Homes standards should be secured by legal agreement (if permission is granted).
- 6.5.5 Space for the storage of refuse and recycling has been provided in three locations. A storage area is provided adjacent to the main entrance off Priory Road and will serve Blocks C and D. The second is located off the entrance on Woodchurch Road and serves Blocks A and B. A third small store is located off Woodchurch Road adjacent to the western elevation of Block A and is intended to serve the maisonettes. All stores are located within 10m of the public highway to enable collection. Street Environmental Services have advised that adequate

provision has been made for the storage of refuse and recycling. In the previously refused scheme, the Woodchurch Road store serving Blocks A and B had only a single entrance door. Street Environmental Services advised that another door/gate would be needed so that, in the event that there is a problem with the single gate, the refuse could still be accessed. This was advised to the applicant by way of an informative. The current proposal has been amended accordingly.

6.5.6 The proposed development includes the provision of private open space, including a communal garden located centrally. The family sized accommodation has all been located at ground floor level where it can take best advantage of the private outdoor amenity space provided. The objection raised by local residents that the accommodation is not suitable for families due to lack of outdoor amenity space is not considered to be sustainable.

6.5.7 It should be noted that no objection was raised to the standard of accommodation provided in the previously refused redevelopment scheme for this site.

## **6.6 Density**

6.6.1 Objection has been raised to the proposal by local residents and residents groups on the grounds that the proposal is too dense and represents overdevelopment of the site. Policy SD4 of the Replacement Unitary Development Plan (2006) provides guidance on the density of new development. Para. 1.33 states that residential development should conform wherever possible to the density ranges set out in table 4B.1 of The London Plan (2004). This table has been superseded by Table 3A.2 of the London Plan (2008). The density matrix provides advice on the number of habitable rooms/units that should be provided per hectare, based on the character/density of surrounding development and the accessibility of the site. The application site does not fall neatly into the 'setting' categorising within the matrix. The area could be described as lying somewhere between an 'urban' and 'suburban' setting since it draws in characteristics of both. The site has a PTAL rating of 5 (very good).

6.6.2 Based on the density matrix in the London Plan, it would be expected that new development in this location should provide between 200-700 (urban) and 200-350 (suburban) habitable rooms per hectare. The proposed development provides 454 habitable rooms per hectare, which is more than would be expected in a suburban area, but is in the middle of the range specified for urban settings. The development provides an average of 3.2 habitable rooms per unit. Within an urban setting, it would therefore be expected that it provide between 55 and 225 units per hectare and in a suburban setting between 55 and 115 units per hectare. In both cases, based on the average number of habitable rooms per unit, the development is at the lowest end of the recommended range. Based on this, the number of units on the site could not be deemed to be overdevelopment of the site; indeed it is less than currently exists.

6.6.3 It should be noted that no objection was raised to the previously refused redevelopment scheme for this site on the grounds of overdevelopment.

## **6.7 Design**

6.7.1 A significant level of objection has been raised to the proposed development on design grounds (see consultations section). Concern has been expressed by groups such as CRASH and Aberdare Gardens Residents Association, and by local residents. Their objections relate to the loss of the existing buildings and the bulk, mass and detailed design of the proposed development.

**6.7.2 Principle of Demolition**

Local residents have raised objection to the demolition of the existing building, which they consider to be of architectural merit and sympathetic to the area. The existing building is essentially formed of 3 curved wings which enclose a central courtyard; it is formed of stacked hexagonal units giving it a honeycomb appearance. The building was designed by Moffet in the late 1960s. English Heritage has previously given consideration to whether this building is suitable for listing. It was not considered to be appropriate for listing, and English Heritage remains of this view and has no objection to the demolition of the existing building, subject to an appropriate redevelopment scheme.

6.7.3 The building is not one identified in the Swiss Cottage Conservation Area statement (1995) as one that makes a positive contribution to the conservation area and therefore the proposed demolition is not contrary to policy B7(B) of the Unitary Development Plan (2006). It should be noted that no objection was raised to the previously refused redevelopment scheme for this site on the grounds that the existing building should be retained.

**6.7.4 Building Form**

The proposed development maintains a central landscaped space. The building takes the form of 4 Blocks (set within 3 wings). Blocks B and C front onto Priory Road, Block A is located perpendicular to and fronts onto Woodchurch Road, and Block D is again set perpendicular to the Priory Road block, but to the rear of the site parallel to the northern boundary of the site. The previously refused scheme took a similar form; it was refused on the grounds that the bulk, mass and detailed design of the building was unacceptable. The design of the current proposal seeks to address these concerns.

**6.7.5 Priory Road Elevation**

The Priory Road elevation incorporates the following revisions:

- The building line on Priory Road has been set back so that it aligns with the adjacent property at no. 81 Priory Road.
- The top floor set back on Priory Road has been increased from 0.3m to 1.7m with a deep recess of 6.0m corresponding to the gaps (glazed vertical recessed elements) in the façade.
- The depth of the glazed vertical recessed elements has been increased from 560mm to 880mm and the window boxes and balconies have been omitted.
- Clear glass is to be used at mid-level and opaque glazing is used to conceal the floor construction and furniture adjacent to the window.
- The layout of the accommodation has been revised as far as possible so that non-habitable windows or kitchens are located behind the glazed links in order to ensure achievement of the desired transparency.

#### 6.7.6 **Height, Bulk, Mass and Footprint**

Concerns were raised in respect of the previously refused scheme that the Priory Road elevation presented '*a flat frontage, with little variation in its elevational expression*' and that it appeared '*monolithic and overbearing in the streetscene, which is otherwise characterised by more intricate detailing*'. This was due to the lack of design and depth in the recesses, which failed to allude to the gaps between buildings or subdivide the block into repetitive parts that relate to the vertical proportions seen in adjacent properties.

- 6.7.7 The amendments to the Priory Road elevation include setting the top floor back from the front building line and breaking down the façade into distinct brick elements by increasing the depth and addressing the design of the 'gap link'. This is considered to satisfactorily reduce the perceived height and bulk of the development and to reinforce the height, scale and rhythm of the existing detached dwelling on this side of the street.

#### 6.7.8 **Elevational treatment and Materials**

Along with the concerns highlighted above, it was also considered in the previous application that the Priory Road frontage did not relate to the squarer symmetry of the adjacent Victorian villas. This was by virtue of the negligible setback above its parapet line and lack of 'delicate' detailing which is considered to characterise this part of Priory Road, including the window reveals, door surrounds, cornice lines and hipped roof over its projecting bay windows.

- 6.7.9 The applicant has sought to address these issues by:

- Setting the building line on Priory Road back from the street so that it aligns with the adjacent properties;
- Increasing the set back of the top floor on Priory Road from 0.3m to 1.7m with a deep recess of 6.0m corresponding to the gaps in the façade;
- Creating greater visual interest through 160mm deep window reveals; and;
- Incorporating coarse red and multi bricks as a base storey and extending over the corner block. The base and parapet will be further emphasised by a recessed brick course.
- Flat arches will link the first and second floor storey window spandrels and copper clad oriel windows will break forward from the brick facades on Priory Road.

- 6.7.10 The proposed revisions are considered to address earlier concerns expressed by officers regarding this elevation.

#### 6.7.11 **Woodchurch Road**

The Woodchurch Road elevation incorporates the following revisions:

- Amended so that it is a 4-storey brick elevation, and changes to the rhythm of the windows;
- The central stairwell has been made more transparent and balconies omitted from recess.



- Changes to the corner of Priory Road and Woodchurch Road, stepping down the top floor on Woodchurch Road and creating a gap between the corner block and the main block onto Woodchurch Road.

#### **6.7.12 Height, Bulk, Mass and Footprint**

In the previously refused application, the elevation comprised full height brick facades separated by narrow slits of glazing which alluded to the gaps that exist between individual houses along Woodchurch Road. However, the full height glazed vertical sections did not serve circulation spaces and thus did not achieve a high level of transparency, resulting in a single block of unacceptable mass and bulk.

6.7.13 The revisions to the Woodchurch Road elevation have broken up the mass of the block by separating the main block and corner block into distinct elements, and accentuated the brick blocks by emphasising the glazed stairwell and creating greater vertical division of the bays alluding to a series of terraced townhouses.

6.7.14 The changes are considered to overcome the concerns raised by officers in respect of the previous application. The scheme responds to the scale, mass and rhythm of the neighbouring buildings and the height is relative to the adjacent properties on the street. This block is considered to fit into its streetscape context.

#### **6.7.15 Elevational treatment and Materials**

Previously the Woodchurch Road elevation presented as a bland elevation, with little interest or depth in its detailing, as offered by the sill line, brick banding and projecting bay windows of its neighbours.

6.7.16 This revised scheme has sought to increase the articulation of the elevation, emphasising the brick elements and increasing the modulation and visual interest of the elevation. The double height maisonette entrances - including vertical panel and canopies - are set within a 160mm reveal as are the windows on the upper façades.

6.7.17 The proposed design of the block fronting Woodchurch Road is simple and rational, relying on the fenestration and appropriate use of high quality materials, detailed design and finished appearance to provide an unassuming contemporary introduction into the street scene. The success of the development will depend on the colour, texture, face-bond and pointing of the facing brickwork on this elevation.

6.7.18 The corner block is seen as the transition/mediatory building between the varying design on each street and would contain a mix of coloured bricks which relate to the Priory Road and Woodchurch Road facades. The building itself is also simple and rational, relying on depth to projecting and recessive elements, as well as brickwork detailing, to provide visual interest.

6.7.19 The scheme is considered to respect the character and appearance of this part of the Conservation Area and provide a contextual, visually interesting development.

- 6.7.20 The success of the development is considered to depend on the appropriate use of high quality materials which relate closely to the colour and tone of the existing palette of materials in the immediate vicinity, detailed design and finished appearance. CRASH and local residents are of the opinion that the materials should be selected prior to permission being granted. It would however be unusual for the final materials to be selected at this stage in the development process. Provided that the overall design approach is considered to be acceptable, details of materials are normally dealt with by condition and this approach is considered appropriate in this instance.

## **6.8 Amenity**

### **6.8.1 Daylight, Sunlight and Outlook**

Policy SD6 seeks to ensure that the amenity of occupiers of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight and outlook. Objection has been raised to the proposal by the occupiers of neighbouring properties on the grounds of loss of daylight, sunlight and outlook.

- 6.8.2 The applicant has submitted a daylight and sunlight report in support of their application. The report has been prepared by Anstey Horne in accordance with the advice contained in the BRE report *Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice* and include existing and proposed VSC (Vertical Sky Component) calculations and APS (Annual Probably Sunlight) calculations (annual and winter). Outlook is a related, but different impact where the presence of the solid structure in close proximity creates an uncomfortable enclosed feeling.
- 6.8.3 The application site is bounded by properties in Priory Road and Cleve Road to the north, Priory Road to the east and Woodchurch Road to the south and west. The report considers the impact of the proposed development on daylight to windows on all surrounding properties on these streets and on sunlight to no. 1 Cleve Road, which is the only property with windows within 90 degrees of due south. The occupiers of properties on the opposite site of Woodchurch Road have raised objection to the proposal on the grounds that it would result in loss of daylight and sunlight.
- 6.8.4 To the north of the site is no. 81 Priory Road. This building is in residential use with the upper floors being accessed from a side entrance at first floor level. There are windows at ground, first and second floor level; the first floor level window is obscure glazed and serves a bathroom. The proposed development is lower than the existing building at this point, and slightly further away from the boundary. The assessment indicates that there will be significant improvement in daylight to the ground and second floor level habitable (bedroom) windows. These windows will also benefit from improved outlook. The property would not be adversely affected by the development in terms of loss of light and outlook; in fact it will benefit from the proposed development.
- 6.8.5 To the east of the site and separated from it by Priory Road are nos. 76, 78-80 Priory Road and West End Court all of which are in residential use.

- 6.8.6 Nos. 78-80 Priory Road are a semi-detached pair comprising lower ground, ground, first and second floor level. The buildings have habitable windows that face towards the application site at all levels. All windows on these properties will notice a slight improvement in lighting levels as a result of the reduction in height and bulk on the north corner of the application site. The view from these windows may feel slightly more constrained due to the increased bulk and height towards the southern end of the site but, as the property is a road width away, there be no loss of outlook resulting in a heightened sense of enclosure.
- 6.8.7 No. 76 Priory Road is a detached property with windows at ground, first and second floor level facing towards the application site. With the exception of two windows, all would see a marginal increase in daylight levels. A ground floor level window serving a living room (also served by two other windows) and a first floor level window serving a kitchen would see a small reduction in daylight levels, but the proposed VSC remains more than 0.8 times its former figure and therefore the loss of light would not be noticeable to its occupants. As with nos. 78-80, there will be a change in view which might feel more constrained but, given the distance from the windows, there would be no increase in the sense of enclosure within the property.
- 6.8.8 West End Court is a 4-storey block of flats that has windows facing east towards the application site. This building has numerous windows which serve habitable rooms facing towards the application site. All windows will see a small reduction in daylight levels due to the increase in height and bulk at the southern end of the application site, but in all but one case the VSC is not reduced to less than 27% VSC. The exception is a window at ground floor level serving a bedroom whose VSC is reduced from 27.75% to 26.99%, but as this is not less than 0.8 times its former value it complies with BRE guidelines and there will be no noticeable reduction in light to the occupants.
- 6.8.9 Nos. 71 Priory Road, 1 Woodchurch Road and the Studio are located south of the application site on the opposite side of Priory Road. All windows at ground and first floor level at no. 71 Priory Road will see a small reduction in light levels, but they will continue to receive a good level of natural light, with all but one window continuing to receive more than 27% VSC. Only a ground floor level window serving a kitchen will fall below the recommended 27%, but it will not be less than 0.8 times its former value and therefore complies with BRE guidelines. Windows at the Studio and no.1 Woodchurch Road similarly will continue to receive daylight levels of more than 27% or no less than 0.8 times their former values. The objections raised by the occupiers of properties on the opposite side of Woodchurch Road are not considered to be sustainable.
- 6.8.10 Immediately west of the site is no. 2 Woodchurch Road. This building is in residential use as flats. It has windows on its flank elevation at lower ground, ground, first, second and third floor levels. The development does not intersect the 25 degree line when taken from the second and third floor level windows and therefore there will be no loss of light to them. All windows below this level serve bathrooms and stairwells, with the exception of a window at basement level which serves a kitchen/utility room. The window already receives daylight below 27% VSC (14.60%); this would be reduced by the development to 8.79%.

- 6.8.11 The previous application was refused on the grounds that inadequate justification had been given to support the loss of light beyond BRE guidelines. The applicant has, as part of this application, identified that the affected room is only approximately 7.5sqm. As this is less than 12sqm, the kitchen would not in fact be termed a habitable room. In view of this, the proposed loss of light to 0.6 times its former value is not considered to justify refusal of the proposal.
- 6.8.12 No. 1 Cleve Road is located north of the application site. The rear garden of the property has been heavily developed with a large 2-storey wing and two single-storey conservatories. The conservatories are 8m north of the boundary with the application site. Consideration has been given to the potential loss of daylight and sunlight to this property. The conservatories will continue to receive a good level of daylight more than 0.8 times their former values (27.49 to 25.79% and 28.71 to 26.64%). In terms of sunlight, both conservatories will continue to receive more than 25% APS and 5% winter sunlight hours.
- 6.8.13 Consideration is also given to shading of gardens and other open spaces. BRE guidelines state that no more than 40% and preferably no more than one quarter of any garden or amenity area should be prevented, by buildings, from receiving any sun at all on 21 March. The impact of the proposed development has been modelled for this day between 07.00 and 18.00. This indicates that there will be a small increase in overshadowing to the garden belonging to no. 2 Woodchurch Road, but this is not significant and it remains within BRE guidelines. There will be a reduction in overshadowing of the garden belonging to no. 1 Cleve Road, but this is similarly not significant and remains within BRE guidelines
- 6.8.14 **Overlooking**  
The proposed development includes windows and terraces in Blocks A and B/C that face onto Woodchurch and Priory Road. These windows and external amenity spaces are more than 18m from the residential properties located on the east side of Priory Road and the south side of Woodchurch Road; as such there will no detrimental impact on the amenity of these properties. The objections raised by the occupiers of these properties on the grounds of loss of privacy are not considered to be sustainable.
- 6.8.15 The western elevations of Blocks A and D face towards the boundary with no. 2 Woodchurch Road. The only opening on these elevations is at second floor level on Block A. This has been designed as a projecting bay, with glazing only being incorporated into the side panels. These face north and south and therefore will not result in overlooking to no. 2 Woodchurch Road. Block A has balconies on its internal elevation at second and third floor level; these afford quite intense views towards the rear garden of no. 2 Woodchurch Road. It is considered that screening should be provided to the western elevation of the balconies in order to ensure that the privacy of the neighbouring property is maintained. This should be secured by condition.
- 6.8.16 The north elevation of Block D faces towards the rear garden of no. 1 Cleve Road and the car parking area within the application site. There are no balconies or terraces proposed on this elevation. There is likely to be improved privacy to

the northern neighbours, as the windows are set further away from the boundary than existing and the existing balconies will not be replaced on the new building.

6.8.17 The north elevation of Block C has windows at first, second and third floor levels that face towards no. 81 Priory Road. It also has balconies at first and third floor level on its rear (west facing) elevation and a terrace at third floor level on its front elevation (east facing) which would afford views towards no. 81 Priory Road. Although there are windows in the existing building that face towards this property, they are either high level windows or obscure glazed windows serving a stairwell. It is considered that the new windows in this elevation should be obscure glazed in order to protect the privacy of the neighbouring property. This should be secured by condition. The windows all serve rooms which are also lit by other openings, and therefore the rooms will nevertheless receive a good level of natural daylight. Screening should also be installed on the north elevation of the balconies and terrace in order to prevent views towards no. 81 Priory Road; again this should be secured by condition.

6.8.18 Where possible, a distance of 18m has been maintained between all windows/balconies within the development which directly face each other. There maybe some oblique views between those properties located at the junctions of the blocks, but this is generally very minimal. However, there are windows on the flank elevations of Block A and B which face each other. It is proposed that the windows at second and third floor level in Block A be obscure glazed in order to ensure that the privacy of the occupants is maintained; this should be secured by condition. The windows serve rooms which are also lit by other openings, and therefore the rooms will still maintain a good level of light. The balconies that face into the courtyard at the eastern end of Block A will need to have screening on their east elevation to prevent views towards accommodation in Block B.

**6.8.19 Noise**

There is an existing EDF substation located adjacent to the south boundary of the site onto Woodchurch Road. The electricity sub-station was installed in the 1970s and is to remain on the site. The proposed new residential accommodation would be located in closer proximity to this structure than the existing accommodation. The previously refused application did not include acoustic information to demonstrate that noise levels from the existing EDF substation would comply with Appendix 1 and policies SD6, SD7B and SD8A of the Replacement Unitary Development Plan (2006) when measured 1m from the nearest new residential window. An acoustic report, prepared by Spectrum Acoustic Consultants, has been submitted in support of the current application. The report demonstrates that the proposed residential accommodation will not be unduly harmed by the presence of the EDF substation in terms of noise pollution.

6.8.20 The proposed development includes the provision of a plant room at ground floor level within Block B, which is to accommodate the proposed CHP facility. The applicant has advised that it is likely that this will need to be mechanically ventilated and an external louvre installed on the façade of the building. Details of the equipment have not been finalised. It is recommended that a condition be imposed on the permission (if granted) requiring the applicant to submit drawings of the louvre in situ and an acoustic report to demonstrate compliance with the noise level requirements of Appendix 1.

- 6.8.21 Objection has been raised to the proposal on the grounds that the demolition and construction works would create noise disturbance to the detriment of local residents. Hours of works are restricted under the Control of Pollution Act (1974). In addition, it is recommended that a construction management plan be secured by legal agreement (see para. 6.9.7 below); this will require details of the demolition and construction process to ensure that disruption to local residents is minimised.

## **6.9 Transportation Issues**

- 6.9.1 The building is located within close proximity to London Underground. West Hampstead tube station, which provides access to the Jubilee Line, is a short walk from the site. Further north along West End Lane, there are train stations for the Thameslink and North London Line (Silverlink). There are also a number of bus routes serving the area with stops located on West End Lane and Broadhurst Gardens. The site has a PTAL rating of 5 (very good).

- 6.9.2 The applicant has submitted a transport statement prepared by Campbell Reith which is considered to be robust and acceptable. The travel plan submitted as part of the application is only a framework travel plan and therefore a complete residential travel plan should be secured by legal agreement (if planning permission is granted).

### **6.9.3 Cycle Parking**

Policy T3 requires the provision of 1 cycle parking space per residential unit. Therefore 55 bicycle spaces are required to provide for the occupiers of the proposed accommodation. In addition, 1 cycle space is required per 10 units or parts thereof for visitors. Therefore, an additional 6 bicycle spaces are required for visitors. It is noted that there is some discrepancy between the drawings and submitted documents as to the level of bicycle parking to be provided, with some referring to the provision of 55/56 spaces for residents and 8/10/12 for visitors. The applicant has confirmed that it is intended that 56 bicycle parking spaces be provided for the occupants and 8 spaces for visitors, as shown on drawing PL(00)21; therefore, in terms of numbers, the amount of bicycle parking is acceptable.

- 6.9.4 The bicycle parking is to be provided in the south-west (36 spaces) and north-west (20 spaces) corners of the site and on the north boundary (8 spaces) between the car parking and refuse stores. The bicycle parking in the previous application was not all adequately spaced and the visitor parking was not sheltered. The applicant was advised by informative that the layout and design of the bike parking should be revised as part of any future planning application. The bicycle parking for occupants and visitors, which utilises a mix of josta 2-tier and Sheffield cycle stands, is now all adequately spaced and located under shelters with green roofs. The proposed bicycle parking is therefore considered to be acceptable; its provision should be secured by condition.

### **6.9.5 Car Parking**

Policy T7 permits the provision of the 1 disabled parking bay per 10 residential units, where justified by the likely occupancy. The provision of 6 disabled surface

level parking bays is therefore considered to be acceptable. The parking layout has been appropriately designed so that cars can enter and exit the site in forward gear. Objection has been raised by residents about the location of the vehicular entrance, which they feel would cause disturbance to the occupiers of no. 81 Priory Road. Given the limited number of car-parking spaces, vehicular movement is likely to be minimal. Whilst the occupiers of the neighbouring property would be aware of vehicular movement, it is not considered that it would result in significant harm to them.

- 6.9.6 Policy T8 seeks car free housing where sites are located within controlled parking zones that are easily accessible by public transport. Policy T9 states that planning permission will not be granted for development that would harm on-street parking conditions. The existing building currently houses 24 residents who wish to transfer into the new development (if permission is granted). These residents currently have on-street parking permits; whilst transport officers accept the need to preserve their existing parking rights, they would expect that the remaining 31 residential units are secured as car-free via a legal agreement. The objection raised by local residents that the proposed development would increase pressure for on-street parking is therefore not considered to be sustainable.

6.9.7 **Works affecting the highway**

The proposal includes demolition of a substantial building and the construction of 55 residential units. Given the scale of the development and the tightly constrained nature of the local road network, the construction of this development could have a significant impact on the surrounding road network. Residents have also raised concern in this respect. A construction management plan will therefore need to be secured via legal agreement in accordance with Policy T12.

- 6.9.8 A financial contribution is required to carry out the following associated works to the highway:

- remove the crossover from the south side of the site;
- create a new CPZ bay with a Traffic Management Order where the crossover was;
- repave the footway adjacent to Priory Road and Woodchurch Road;
- relocate the existing vehicular crossover to its proposed position with further amendments to the CPZ to accommodate this; and
- Repair any damage caused to the highway during construction.

- 6.9.9 This should be secured via legal agreement.

6.10 **Sustainability**

- 6.10.1 Policy SD9 of the Replacement Unitary Development Plan (2006) refers to resources and energy. Under the requirements of that policy, applicants are required to make provision for water supply and waste treatment - in the form of grey water and rainwater harvesting. They also need to demonstrate how their proposal seeks to conserve energy and resources, through its design, renewables and use of recycled and renewable building materials. In terms of

energy and sustainability the requirements of Policy SD9 are also supplemented by those of the London Plan (2008).

- 6.10.2 The applicant has advised that they will install water saving measures with a view to achieving a residents water level of less than 105 litres per person per day which would meets levels 3 and 4 of the Code for Sustainable Homes. Water butts are to be provided to encourage reuse of rainwater for carrying out of tasks such as watering gardens and washing cars.
- 6.10.3 A Code for Sustainable Homes Pre-Development Assessment has been provided as part of the application. Camden Planning Guidance (2006) states that in new developments level 3 of the Code should be achieved with more than 50% of credits being achieved in energy, materials and water. The report indicates that the development will score 61.51, level 3 of the Code, securing 52% of credits in energy, 38% in materials and 67% in water. It would be desirable if a high credit rating could be achieved in materials, but given that the applicant has exceeded the targets in other categories and achieved level 3 which will reduce carbon emissions by 25% this is considered to be acceptable. Implementation of this and the submission of a design and post-construction Code for Sustainable Homes report would be secured by legal agreement.
- 6.10.4 The applicant has submitted an energy statement prepared by DSSR. The report investigates 4 options in terms of the introduction of renewables. The report recommends a combination of a gas powered CHP facility (3780 hrs/yr) and solar panels (181sqm). It states that these measures will secure a reduction of 32.2% in carbon emission beyond the Building Regulations, providing 15.7% of predicted energy requirements through renewables. Policy SD9 seeks to achieve 10% of energy through renewable technologies, but the London Plan (2008) which is more up to date sets a higher target of 20%. The proposal exceeds the Borough target, but falls slightly short of the regional target. Whilst it is regrettable that a higher level will not be achieved, it is considered that the applicant has given due consideration to other options, but the only option in terms of delivering the 20% would mean omitting CHP and relying solely on renewables which is less desirable.
- 6.10.5 The implementation of the sustainability measures outlined above should be secured by legal agreement.

## 6.11 **Trees**

- 6.11.1 Concern has been raised by local residents about the loss of trees. There are trees along the south (Woodchurch Road) and east boundary (Priory Road) of the site. A number of these trees are subject to a group Tree Preservation Order: 6 x Horse Chestnuts (T1, T7, T10 - T13), 2 x Hawthorns (T2 and T5), Ornamental Apple (T4), and a Lime (T9); they form the most significant tree canopy within the site and contribute to the character of the conservation area. There are other trees along these boundaries, within the central part of the site and along the western boundary; some are younger trees and not specifically protected. The applicant has submitted an arboricultural report prepared by RGS Tree Services in support of their application.



6.11.2 The arboricultural report states that it is proposed to remove a number of trees on the site prior to commencement of demolition:

- T4 Ornamental apple: The ornamental apple is a poor specimen of little amenity value.
- T5 Hawthorn: The hawthorn is a poor specimen of limited amenity value and very close to the proposed building.
- T6 Sycamore: The sycamore is located too close to the proposed building. Facilitation pruning would be neither appropriate or practical.
- T14 Lime: The crown of this lime is heavily suppressed by adjacent trees and its removal would benefit the adjacent trees.
- T15 Cherry Laurel: This is very close to the proposed new pedestrian access. It has limited amenity value.
- T19 Sycamore: It would severely suppress the Dawn Redwood that is to be retained.

6.11.3 It is also proposed to remove trees T2, T17 due to their poor condition, and T21-25 due to poor condition, limited amenity value and their position within the central area of the development.

6.11.4 Of all the trees to be removed only the Ornamental Apple and Hawthorn (T4 and T5) are covered by the TPO. The report details a series of works to the remaining trees (pruning) in order to facilitate the construction works. The proposed felling and pruning works are considered to be acceptable. The works are not considered to be detrimental to the character of the site or the surroundings, as the character of the site is preserved by the trees to be retained within the development. A replacement tree (Oak) is to be planted in the location of T4 the Ornamental Apple. This replacement planting should be secured by condition as part of the landscaping scheme (see para 6.12).

6.11.5 The arboricultural report identified the sequence of measures to be taken for the protection of trees on the site. These would be subject to regular inspection by the Council's tree officers (if permission were granted). The proposed tree protection method statement is considered to be acceptable and no further details would be required by condition were permission to be granted.

## **6.12 Landscaping and Biodiversity**

6.12.1 The proposed landscaping details are largely indicative at this stage, as they are to be developed in consultation with the residents of the development (were the scheme to be granted permission). However, there are key elements of the landscape design that can be established at this stage:

- The creation of a central landscaped area for communal use at the centre of the development.
- New tree planting within this central area.
- Hedge planting to define private and semi-private spaces.
- Climbers on building walls.
- Green roofs on all buildings/structures.

- 6.12.2 The proposals have the potential to create high quality spaces; however, the detailed design of these elements would require the submission and approval of hard and soft landscaping details. This should be secured by condition.
- 6.12.3 An ecological survey has been undertaken. The various habitats that make up the site e.g. amenity grassland, ornamental planting, buildings and trees) range from low to moderate in ecological value. The report provides the following recommendations for the preservation and enhancement of the ecological value of the site:
- Trees and hedgerows not identified for removal should be protected throughout the construction work;
  - Future landscaping planting of the site should incorporate native species and features of high ecological value in line with the London BAP.
- 6.12.4 Provisions for their first recommendations have been covered in the section above relating to trees. Provisions for their second recommendation can be dealt with as part of the hard and soft landscaping details which is secured by condition. The report also sets out precautionary measures for avoiding damage to protected species during the construction process; such measures should be secured by condition or advised by way of informative:
- A further bat survey should be undertaken on the building prior to demolition to establish if any bats have colonised the areas with bat roost potential.
  - Removal of buildings, trees and vegetation etc should be undertaken outside of bird-nesting season.
  - Should stag beetles or great crested newts be found on site during removal of the vegetation then work should cease and a qualified ecologist should be consulted for advice.
- 6.12.5 The ecological report also includes an assessment of the proposals for a Code for Sustainable Homes rating. The report identifies 2 credits that can be awarded on the basis of minimising damage to the existing ecological value for the site. It also identified a further potential 7 credits if various landscape and ecological features are incorporated into the scheme. These include planting trees, shrubs and bulbs attractive to wildlife and the installation of, for example, bat and bird boxes across the site. Regardless of whether these additional credits are required to meet UDP targets for sustainable homes ratings, it is considered that these recommendations should be incorporated into the landscaping scheme as best practice and for the optimisation of the biodiversity value of the site in accordance with policy N5. A separate condition should be used to secure the provision of bat and bird boxes.
- 6.12.6 The roof of the main building, the car and bike parking shelters are all to be 'greened'. The roof is a mix of sedum, grasses and herbs. The provision of 920sqm of green roof will improve biodiversity, as well as insulating the building and improving air quality.

- 6.12.7 Conditions should require the submission and approval of hard and soft landscaping details including details of the design, construction and maintenance of green roofs and measures to enhance the biodiversity value of the site. Such conditions will ensure that residents concerns regarding the loss of green space and wildlife are addressed.

### **6.13 Public Open Space**

- 6.13.1 Policy N4 of the Replacement Unitary Development Plan requires the provision of public open space for developments of more than 5 residential units. Where it is not possible to provide new public open space the policy allows for a financial contribution in lieu for improvements to be made to existing public open space in the local area.
- 6.13.2 Camden Planning Guidance (2006) states that 9sqm of public open space should be provided per person. The proposed development provides 184 bedspaces. The requirement for the proposed development would therefore be 1656sqm (9 x 184 bedspaces). The guidance states that the previous use on the site and any contribution made by private amenity space (which might in part reduce the use of public open space) can be taken into consideration when calculating the open space requirement. The existing building on this site provides accommodation with a maximum of 112 bedspaces (this is based on the assumption that studios are occupied as 1-person units, 1-bedrooms as 2-person and 2-bedrooms as 3-person units). The proposed development provides 1472sqm of open space in the form of balconies, private gardens and a communal green area. Given that there is only an increase of 72 bedspaces on site, there is provision of a good proportion of private open space on site and it is considered that a financial contribution could not be required in this instance.

### **6.14 Educational facilities**

- 6.14.1 CRASH are concerned that the proposed development would increase pressure on educational facilities in the area. New housing development does increase pressure upon education places and costs. New residential developments which result in a net increase of 5 or more dwellings will normally be expected to provide a contribution towards educational provision for the children who would be housed in the dwellings. Camden Planning Guidance (2006) states that contributions will not be required where the proposed residential accommodation is affordable housing for rent or intermediate housing provided by a registered social landlord. The reason being that as the Council has nomination rights such accommodation generally houses children already resident and educated within the Borough. No financial contribution is required towards the provision of educational facilities within the local area as the proposed development is for 100% affordable housing.

### **6.15 Crime Prevention**

- 6.15.1 CRASH have expressed concern about the 'inward looking' nature of the development. They feel that the development turns its back on the surrounding community. They do not agree that the potential for crime justifies the design, and in particular object to the introduction of gates.

- 6.15.2 Policy SD1 (D) of the Replacement Unitary Development Plan (2006) states the Council will require development to incorporate design, layout and access measures which address personal safety, including the fear of crime, security and crime prevention. The planning process should look to design out crime at the outset of the design process.
- 6.15.3 The existing development can be accessed by any member of the public passing by. The archway off Priory Road and driveway off Woodchurch Road provide direct access into the courtyard and to secluded parts of the development to the rear of the site. Generally people entering the development will be those who live there or who are visiting friends. It is relevant to question why those who have no destination or motive to use the land would seek to enter it; it is likely that a proportion would be for nothing more than vandalism or criminal activity.
- 6.15.4 The Metropolitan Police have advised that this area is a burglary 'hot spot' where there is a high degree of burglary. CRASH contest this statement. Crime figures for Priory Road from June 2007-May 2008 indicate that, of 77 reported crimes on Priory Road, 15 were burglaries. More recent figures (June 2008-May 2009) indicate an increase, with 18 of the 75 reported crimes being burglaries. Home Office figures show that 70% of burglary occurs to the rear of a property where an offender can gain anonymity. The form of the existing building makes it a target for burglary. In terms of the proposed building, retaining the pedestrian and vehicular entrance as an open 'archway' would also make it a target for burglary. The Metropolitan Police are of the opinion that the installation of the vehicular and pedestrian entrance gates onto Woodchurch and Priory Road are absolutely essential for the security of this site. It is considered that a security system incorporating lighting and audio and video entry systems should also be installed to improve security of this site, particularly around the bicycle and car parking and entrance points; this would be secured by condition (if permission were granted).
- 6.15.5 The proposed development does not turn its back on the community. The maisonettes on Woodchurch Road are all accessed directly from the street. Whilst the entrance to the flats within the Priory Road block are accessed via the security gate, all have doors at ground floor level which provide access to the garden space which is adjacent to the street.

## **6.16 Other Issues**

- 6.16.1 A number of objectors have stated that the needs of existing residents have not been adequately taken into account and that they do not support the proposal. In contrast, a number of residents have advised that they were consulted extensively by Octavia and are supportive of the proposals. Octavia have advised that they did carry out consultation with residents of the building. It is clear that the proposed development has mixed support from existing residents.
- 6.16.2 As stated previously, there are 24 existing tenants who are to be rehoused in the proposed development. It is proposed that the development be carried out in phases in order to ensure that those residents, most of whom are elderly, do not have to move away from the site. All existing residents are to be housed in Olive

Waites House (north side of the site) during the demolition of Douglas Waites House and the construction of Blocks A and B (Phase 1). Once these are complete, all existing residents will be relocated into their new homes within Block B. This would then allow demolition of Olive Waites House and the construction of Blocks C and D (Phase 2). The phasing of the development should be secured by legal agreement to ensure that existing residents are not displaced from the site.

6.16.2 The proposed development includes the provision of a community room which can be utilised by residents. This facility is welcomed.

6.16.3 The proposal is a major development which will involve a significant construction contract. In accordance with the Policy SD2 of the Replacement Unitary Development Plan (2006) and Camden Planning Guidance (2006), it is recommended that the developer provide construction training opportunities for local residents related to the development through a recognised local initiative (Kings Cross Working Construction Training). The developer should also use reasonable endeavours to ensure that supplies and services are sourced locally. The creation of local employment and business opportunities will reinforce neighbourhood renewal objectives and improve the sustainability of the local economy.

## 7.0 CONCLUSION

7.1 The proposed development is to provide 55 units of affordable housing. The scheme provides a mix of accommodation for social renting and intermediate housing to meet the needs of small and large households. The proposal provides a good standard of accommodation including a proportion which is suitable for wheelchair users. The building reflects the height and scale of adjacent development and will not harm their amenity. The detailed design whilst contemporary is sympathetic to the form of other buildings within the conservation area. The building incorporates sustainability and biodiversity enhancement measures.

7.2 It is recommended that planning permission be granted subject to a legal agreement to secure the following:

- Affordable housing (55 units - 12 shared ownership and 43 social renting)
- 10% wheelchair housing and lifetime homes standards
- Residential travel plan
- Car-free housing (31 units)
- Construction management plan
- Associated highways works
- Level 3 - Code for Sustainable Homes
- On-site renewables
- Phasing
- Local labour/procurement

7.3 In the event that the S106 Legal Agreement referred to above has not been completed within 13 weeks of the date of the registration of the application, the

Development Control Service Manager be given authority to refuse planning permission for the following reasons:-

The proposed development, in the absence of a legal agreement to secure the residential units as affordable housing would fail to make a contribution to the supply of affordable housing, contrary to policy H2 (Affordable Housing) of the London Borough of Camden Replacement Unitary Development Plan 2006 and policies 3A.10 and 3A.11 of the London Plan (consolidated with Alterations since 2004) 2008.

The proposed development, in the absence of a legal agreement to secure the development to be built to lifetime homes standards and for a minimum of 10% of the accommodation to be suitable for wheelchair users, is contrary to policy H7 (Lifetime Homes and Wheelchair Housing) of the London Borough of Camden Replacement Unitary Development Plan 2006 and to advice contained in the Camden Planning Guidance 2006.

The proposed development, in the absence of a legal agreement to secure a residential travel plan, would be likely to contribute unacceptably to use of non-sustainable modes of transport contrary to policy T1 (Sustainable Transport) of the London Borough of Camden Replacement Unitary Development Plan 2006 and to advice contained in Camden Planning Guidance 2006.

The proposed development, in the absence of a legal agreement to secure 31 residential units as car-free would be likely to contribute unacceptably to parking congestion in the surrounding area, contrary to policy T9 (Impact of Parking) of the London Borough of Camden Replacement Unitary Development Plan 2006 and to advice contained in the Camden Planning Guidance 2006.

The proposed development, in the absence of a legal agreement to secure submission and implementation of a Construction Management Plan, would be likely to contribute unacceptably to traffic disruption and dangerous situations for pedestrians and other road users, and be detrimental to the amenities of the area generally, contrary to policies T12 (Works Affecting Highways) and SD8B (Disturbance from demolition and construction) of the London Borough of Camden Replacement Unitary Development Plan 2006 and to advice contained in the Camden Planning Guidance 2006.

The proposed development, in the absence of a legal agreement to secure contributions to carry out associated highways works would be likely to harm the Borough's transport infrastructure, contrary to policy SD2 (Planning Obligations) of the London Borough of Camden Replacement Unitary Development Plan 2006 and to advice contained in the Camden Planning Guidance 2006.

The proposed development, in the absence of a legal agreement requiring for the development to achieve a minimum of 'level 3' under the Code for Sustainable Homes Assessment and for a proportion of energy demand to be met by on-site renewable resources, would fail to be sustainable in its use of resources, contrary to policy SD9 (Resources and Energy) of the London Borough of Camden

Replacement Unitary Development Plan 2006 and to advice contained in Camden Planning Guidance 2006.

The proposed development, in the absence of a legal agreement to secure completion of Phase 1 of the development (construction of Blocks A/B) prior to demolition of Olive Waites House and the implementation of Phase 2 (construction of Blocks C/D) would result in the unnecessary displacement of occupants of the existing housing, contrary to policy SD2 (Planning Obligations) of the London Borough of Camden Replacement Unitary Development Plan 2006 and to advice contained in the Camden Planning Guidance 2006.

The proposed development, in the absence of a legal agreement to secure local labour and procurement would fail to contribute towards the creation of local employment and business opportunities which reinforce neighbourhood renewal objectives and improve sustainability of the local economy, contrary to policy SD2 (Planning Obligations) of the London Borough of Camden Replacement Unitary Development Plan 2006 and to advice contained in the Camden Planning Guidance 2006.

## **8.0 LEGAL COMMENTS**

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