

consequence therefore the site is considered to be potentially developable. It remains, however, to reach agreement with the local planning authority about the rationalisation of the various parcels of land within the site, only some of which is identified as Open Space/SNCI.

- 7.5 Appendix 5, relating to the land swap proposals, includes an existing site plan delineating (shaded areas) those parts of the site that are not designated as open space. This area amounts to 1,768 sq m, or 43.9% of the overall site area. It is evident from the plan however that the undesignated land is fragmented and of limited size and shape, thereby effectively precluding a viable development. The application proposals therefore seek to consolidate the developable parts of the site into one area on the Mill Lane frontage, with the remainder of the land to the north providing a coherent area of open space, which would be slightly larger than the existing designated area of open space. Further, as explained later in this statement, given the relatively flat topography of the open space being provided, in comparison to the existing open space that slopes steeply towards the railway embankment, the significant qualitative gain is considerable. The concept of a “land swap” has been agreed with Officers in the Planning Department in pre-application discussions.
- 7.6 As a matter of principle therefore the residential development of part of this site is acceptable and in accordance with a priority objective of the UDP to provide new housing (Policy S4) although this acceptance is subject to the advertisement of the application as a Departure from the Development Plan to the extent that the proposals impinge upon land that is currently identified as open space. The policies that seek to protect such land from development may therefore be set aside in this instance provided that the provision of alternative open space to the north of the development site is secured and its layout funded by means of a Section 106 Agreement. The applicant is agreeable to this procedure being adopted.

The Residential Development Proposal

- 7.7 Guidance in PPS 3 prioritises the development of brownfield land in urban areas for sustainable residential development in the most effective and efficient manner possible, and housing is a priority use of the UDP. Policy H1 in the UDP further states that the Council will grant permission for development that increases the amount of land and floorspace in residential use, and the policy sets out that the

Council will “*seek to secure the fullest possible residential use of vacant and underused sites and buildings*”.

- 7.8 Policies in the London Plan (3A.3) similarly seek to achieve the “*maximum intensity of use compatible with local context, the design principles in Policy 4B.1 and with public transport capacity.*” In Table 3A.2 a density matrix is set out that relates local context to public transport accessibility and, for an urban area such as this with a PTAL rating of 4, density within the range of 200 to 700 habitable rooms per hectare could be considered appropriate. The application proposals have an average of 2.875 habitable rooms per residential unit and so the equivalent number of dwellings per hectare would be in the range of 70 to 260 dph.
- 7.9 The application proposals comprise 40 residential units on a site of 0.1750 hectares and this would equate to 228 dwellings per hectare or 655.5 habitable rooms per hectare. Both of these figures fall within the ranges set out in Table 3A.2 and it is considered that this is indicative of an appropriate and acceptable scale of development for the site, in compliance with Policy 3A.3 of the London Plan and H1 of the UDP.

Range of Housing

- 7.10 Policy 3A.5 in the London Plan and H8 in the UDP stipulate that a variety of housing types and sizes should be provided within developments. These policies are supported by guidance in PPS 3 which encourages provision of a mix of housing to fulfil a range of local needs.
- 7.11 Whilst the application proposals predominantly comprise flatted units of accommodation, two terraced houses are also provided, and the range of dwelling sizes includes 3 x three bed units and 2 x four bed units. Both four bed units are proposed at ground floor level and each will have allocated private amenity space, which will be of benefit to families with children. There is also an additional area of open space within the development designated as a communal garden. The dwelling units to be provided also incorporate a significant range of floor areas, ranging from 48 sq m up to 165 sq m.
- 7.12 These provisions fulfil the requirements of London Plan Policy 3A.5 and UDP Policy H8 to provide a range of housing.

Quality of Housing

- 7.13 Policy 3A.5 in the London Plan and H7 in the UDP both seek to ensure that new housing developments are accessible to all sections of the community by ensuring construction to “Lifetime Homes” standards, with 10% of the accommodation designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The application proposals have been designed to achieve these standards, with 4 full wheelchair units on the ground floor, thereby complying with these policies.
- 7.14 The application proposals have also been designed to accord with the residential development standards set out at Section 40 of the Council’s Supplementary Planning Guidance, and all accommodation would be at Level 3 of the Code for Sustainable Homes.

Residential Amenity

- 7.15 Concerns have been expressed in pre-application meetings with local residents to ensure that the new development does not adversely affect the amenities of adjoining residents fronting Fordwych Road and Mill Lane. The application proposals ensure that the amenities of existing occupiers would not be unduly affected.
- 7.16 In considering the relationship between the proposed main new building and the existing properties fronting Fordwych Road, it is to be noted that the flank wall of the proposed building would be positioned 2 metres further away from the common boundary than the existing building. Accordingly, the flank wall of the new building is situated some 23 metres from the rear elevation of Mill Court to the west and 21.5 metres from the rear-most windows in No. 111 Fordwych Road. At fourth floor level the glazed flank wall of the new building is set back a further 2 metres from the common boundary, so these distances would be increased accordingly. Fenestration in the flank wall of the new building is confined to one window on each of the first, second and third floors, and bedroom/kitchen/dining area windows on the fourth floor.
- 7.17 The separation distances between windows in the main new building and those in the east facing elevation of properties on Fordwych Road are considered to be more than sufficient to avoid overlooking and loss of privacy, and, with the two terraced houses

being over 16 metres from this common boundary, the same conclusions apply to these houses. The applicant also proposes the planting of coniferous trees along the western boundary of the site between the existing trees to screen views whilst also positively contributing to the appearance of both the site and the surrounding area.

- 7.18 The proposed new buildings have also been assessed from the point of view of their effect upon daylight and sunlight affecting the rear windows to properties fronting Fordwych Road and their rear gardens. Applying the tests set out in the Building Research Establishment document "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" it has been established that no detrimental impact would arise from the proposed development.
- 7.19 Consideration has also been given to the relationship between the proposed main building and the existing house at No. 2 Mill Lane directly opposite. The latter has accommodation arranged on three floors with fenestration in the north-west and north-east facing elevations. However, this building is separated from the application proposal by the width of Mill Lane, and so window to window distances range from 20 metres to 23 metres. Again, these distances are more than sufficient to ensure that no adverse impact would arise in terms of loss of privacy or overlooking.
- 7.20 Also under this heading, consideration must be given to the issue of outlook for adjoining residents. In this respect, of course, there is no quantitative test that can be carried out; it is more a question of planning judgement as to whether or not the proposed development would be visually intrusive and hence detrimental to the outlook of neighbours, whilst pointing out that loss of view is not a material planning consideration.
- 7.21 The west elevation of the proposed buildings will be visible from the rear windows and gardens of properties on Fordwych Road, and although the main proposed building would be larger than that which exists, the massing of the elevation would be broken up by the retained trees within the back gardens of these properties. As already outlined, the applicant proposes to plant coniferous trees along the flank elevation in order to further soften the appearance of the building and, under these circumstances, given the size of rear gardens and distance to habitable room windows, it is considered that the proposed building would not be visually intrusive.

- 7.22 The front elevation of the main building stands at 4 and 5 storeys, rising progressively from west to east. This elevation of this building would be seen principally from properties on the south side of Mill Lane. Whilst this proposed building is higher than the existing house on the site which was once part of a terrace of similar sized buildings, Mill Lane is already characterised by buildings of similar scale and these are not regarded as visually intrusive. Unlike the flank elevation of the main new building, the front elevation would primarily be seen by neighbours in oblique views only and under these circumstances it is again concluded that the development would not have a detrimental effect upon outlook.
- 7.23 It is therefore concluded that the application proposals comply with Policy SD6 of the UDP.
- 7.24 Pre-application advice received from the Council indicated that, due to the proximity of the railway lines, a PPG 24 noise and vibration assessment should also be submitted with the application. This assessment has been carried out and a copy is attached to the application. The report concludes that noise levels in the vicinity arising from trains and traffic would indicate the proposed development as falling within Noise Exposure Category B. In light of this, the guidance in PPG 24 (annex 1 paragraph 1) indicates that noise should be taken into account in determining a planning application and, where appropriate, conditions may be imposed to ensure an adequate level of protection against noise. In this case, it is concluded that noise insulation requirements can be met using standard thermal double glazed units in the new building and a condition can be imposed requiring details thereof.
- 7.25 The report has also considered the issue of vibration within the new building, primarily arising from passing trains, and the conclusion of the report is that vibration is below the level that is likely to induce adverse comments from occupiers of the new building.
- 7.26 One particular concern raised by local residents at the meeting in April was the potential for the new development to cause subsidence and potential damage to adjoining residential properties. This matter has already been investigated by consulting structural engineers and their report, a copy of which accompanies this application, confirms that the construction of the proposed basement and new building in the ground conditions prevalent at the site, bearing in mind the distance to adjoining houses, would not result in any significant effect on adjoining properties.

Similarly, the development would not have any adverse impact upon the retaining wall adjoining the railway.

- 7.27 It is envisaged that the developers would enter into a construction management programme as a condition of the grant of permission, and this would provide further assurance in this respect.

Design and Appearance

- 7.28 Guidance at paragraphs 33-39 of Planning Policy Statement 1 reinforces the need for good quality design and this is deemed to be indivisible from good planning. Local planning authorities are urged to plan positively for the achievement of high quality and inclusive design for all developments and this should contribute positively to making places better for people. High quality and inclusive design should be the aim of all those involved in the development process and this means ensuring that a place will function well and add to the overall character and quality of the area, not just for the short term but over the lifetime of the development.
- 7.29 Whilst paragraph 34 reminds authorities that design which is inappropriate in its context or which fails to take the opportunities available for improving the character and quality of an area should not be accepted, equally paragraph 38 points out that local planning authorities should not attempt to impose architectural styles or tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however proper to seek to promote or reinforce local distinctiveness particularly where this is supported by clear plan policies or supplementary planning documents on design.
- 7.30 The imperative to promote good design is similarly expressed in PPS 3 which at paragraph 10 has a specific housing policy objective for the planning system to achieve high quality housing that is well designed and built to a high standard. Good design is regarded as fundamental to the development of high quality new housing and local authorities should promote designs and layouts that they make efficient and effective use of land.
- 7.31 Policies in the adopted development plan (4B.1 in the London plan and B1 in the UDP) similarly seek to ensure that developments are designed to a high standard, and

Camden's policy includes a number of criteria against which new developments will be considered. These criteria are considered individually below.

- 7.32 *Building Lines and Plot Sizes* - The proposed development seeks to re-establish and follow the historic building line that is evident in the Ordnance Survey extract at Appendix 3. The characteristically rectangular plot sizes found in the immediately adjoining streets would not be reflected in the application proposal because the development site is a significantly larger parcel of land. Notably there are several other substantial blocks of flats in the near vicinity that similarly stand in their own grounds so the application proposal is no different in this respect.
- 7.33 *The Existing Pattern of Routes and Spaces* - The application proposes a development on the Mill Lane frontage only and this respects the existing pattern of development facing onto the local road network. However, the proposals also entail a re-shaping of the spaces in the area in the sense that the built-up and open parts of the site will be re-ordered into separate parcels of land as explained in paragraphs 7.5 and 7.6. This approach has been agreed with the Local Planning Authority.
- 7.34 *The Height, Bulk and Scale of Neighbouring Buildings* - It is well-established planning practice that a new development should relate well to its neighbours in terms of amenity impact but equally good design should be facilitated by identifying the distinctive features that define the character of a particular local area. Such consideration should not be dictated by existing immediately adjoining development as this would stifle change, and imaginative design and layout in new development can lead to a more efficient use of land without compromising the quality of the local environment.
- 7.35 The photographs included in Appendix 2 illustrate the many and varied building forms to be found within a radius of just a few hundred metres. Immediately adjoining the site there are very substantial semi-detached Edwardian properties with accommodation on four or five floors and these are situated close to each other so that in oblique views they appear as a single built mass. There are also 1930s style blocks of flats on the corner of Fordwych Road and substantial nineteenth century semi-detached and terraced houses, again with accommodation on three or four floors, to the south of the site.

- 7.36 Further along Mill Lane closer to the junction with Shoot-Up Hill, there are even more substantial mansion blocks with accommodation on six or seven floors. The nature and scale of accommodation in the immediate vicinity is therefore varied and it is considered that the application proposal fits in well in this local context. The overall width of the building would create an attractive arc along the historic building line and is broadly reflective of the original pre-war development on the site. The proposed four storey height of the building on its western flank is similar to that of Mill Court on the corner with Fordwych Road, which is also four storeys high, and although the proposed building steps up in height towards the railway line, this is regarded as a natural progression along the street and a positive enhancement of the local street scene and an addition to the character of the area in the manner envisioned in PPS 1 and PPS 3.
- 7.37 *Existing Natural Features such as Topography and Trees* - The arboricultural report accompanying the application demonstrates that the existing trees along the west boundary of the site will be retained by the proposals and although some remaining trees along the railway embankment would need to be removed, this is more than compensated for by the proposed semi-mature planting in front of, and behind, the new building. The topography of the site is such that the proposed building responds to the rising land level in an appropriate way, and of course the original natural state of the site is to be re-created on the proposed open space to the north.
- 7.38 *The Design of Neighbouring Buildings* - Although some of the local streets display a unity of house design reflective of the period in which the properties were constructed (nineteenth century) there are also other buildings of more recent vintage (1930s) but few of modern construction and certainly none that yield any hopeful or valuable design cues. It is therefore appropriate that a suitably qualified and experienced architect should be given free rein to design an attractive high quality housing development on this site, and it is considered that this is amply achieved by the application proposals.
- 7.39 *Quality and Appropriateness of Detailing and Materials* - The proposed building has a simple but rhythmic appearance on its main elevations with a rendered plinth at ground floor level and vertical panels of brickwork interspersed by rectangular paired windows, some with glazed balconies. The new building deliberately omits some of the more decorative architectural detailing to be found on the older houses nearby but the simple rhythmic pattern is reflective of some of the larger buildings in the vicinity

such as the mansion blocks further along Mill Lane. It is considered that this is an entirely appropriate treatment of the elevations.

7.40 *The Provision of Visually Interesting Frontages at Street Level* - It is the applicant's view that the proposed building does create an interesting and active frontage onto the street that reflects the requirement to produce a high quality design but at the same time respects the scale of appearance of adjoining buildings.

7.41 *The Impact on Views and Skylines* - The proposed building would obviously be visible in the street scene but it has no adverse impact on views or skylines in the sense that those which are protected by policy remain unaffected.

7.42 It is concluded that the application proposals fulfil the requirements of adopted policies and national guidance in producing an imaginative and attractive design.

Affordable Housing

7.43 The proposal has been carefully drawn up to ensure that it provides high quality residential accommodation of an appropriate density for this location, and also offering a broad mix in terms of the residential accommodation provided.

7.44 Both the provisions of the London Plan and adopted UDP Policy H2 encourage the provision of 50% affordable housing within any development of this size, subject to a number of factors which may affect the suitability of a particular site to provide this level of affordable housing. Of the affordable housing provided, 70% is set as the guideline of social housing for rent, and 30% as the guideline for intermediate housing for those on moderate incomes, including essential/key workers.

7.45 In terms of the proposal, based upon unit numbers, 32.5% of the housing proposed would be affordable, or 34.8% based upon numbers of habitable rooms, or 31.8% based upon floorspace. Of this affordable housing, 8 (or 61.5%) of the units provided (occupying all of the ground floor) would be social housing for rent, whilst 5 (or 38.5%) of the units provided (all on the first floor) would be intermediate housing.

7.46 The Council's adopted SPG acknowledges that the economics of the provision of affordable housing is an explicit consideration, and notes that a financial appraisal is essential in negotiating the level of affordable housing contribution that is viable on a

particular site. The SPG also states that in negotiating the provision of affordable housing and the level appropriate to a particular site, the Council will consider the full range of costs, benefits and planning objectives associated with a development.

- 7.47 A financial appraisal of the proposals has been conducted by the applicant using the GLA Three Dragons toolkit, and a copy of the results generated by the Toolkit can be found in Appendix 7. These results show that if 50% of the housing provided on this site was affordable, based upon the current accommodation mix the residual value of the whole scheme in the current economic climate would be approximately minus £808,000. Even if there was a 10% rise in the market, the residential value would still be minus £55,000. The applicant therefore contends that in the current economic climate it is unreasonable to require such a high level of affordable housing provision on this site, as clearly such provision would make any residential development on the site not financially viable and the site would remain undeveloped and the potential of the site, both in terms of residential development and the provision of high quality open space, would not be realised.
- 7.48 In considering the appropriate level of affordable housing on this site, it must be emphasised that the site is not designated within the UDP for housing development, with part of the site designated as open space and the remainder of the site not falling within any category of designation. What the applicant is proposing, by way of the “land swap” on this site, is a unique opportunity to enable the provision of high quality residential accommodation whilst also making a positive contribution to the local environment through the creation of a larger and more beneficial area of open space, which would be appropriately landscaped and carefully managed, than the current open space which is lacking in environmental quality and currently is of little value in nature conservation terms.
- 7.49 Therefore the proposal offers a great opportunity to benefit the entire area and meet both Council and London-wide planning objectives. It involves the development of brownfield land for residential development in accordance with PPS 3, and by enabling part of the site to be developed for housing the proposal assists the Council in meeting its housing targets, whilst also ensuring that existing sites designated for residential development can be developed to their full potential.
- 7.50 The mix of residential accommodation provided is also considered to broadly meet the provisions of both Council and London-wide planning objectives. The proposal

incorporates 2 four bedroom units within the social rented sector, and the Council has identified within its Housing Needs Survey that there is an acute need for four bedroom units within this sector. These units also have direct access to their own areas of private open space. The intermediate units provided also comprise a mix of two bedroom units and one bedroom units, in accordance with guidance contained within the Council's SPG.

- 7.51 Whilst it is accepted that the split between social and intermediate tenures is not entirely in accordance with the guideline split of 70/30, the proposals ensure that the social rented units may be easily managed by an RSL, with all units occupying the ground floor of the site. The provision therefore of two additional social units within the development (which would result in a 71/29 affordable housing tenure split), would make the development less attractive to a RSL, which also only further reduces the financial viability of residential development on this site.
- 7.52 In conclusion therefore on the issue of affordable housing it is considered that the development provides the maximum level of affordable housing that is financially viable on this particular site, having regard to the economics of provision, the range of high quality accommodation provided, and the wider benefits to the surrounding area that would be secured by way of the re-designation of a larger area of the site as open space. It is considered therefore that the proposal broadly accords with both national, London-wide and Council policies on housing provision.

Car Parking

- 7.53 In accordance with the guidance in PPG 13, Policy 3C.23 of the London Plan seeks to ensure that on-site car parking for new developments is the minimum necessary. The Plan includes maximum parking standards in Annex 4 as follows:

Predominant Housing Type	3-plus Bed Units	3 Bed Units	1-2 Bed Units
Car Parking Provision	2-1.5 spaces per unit	1.5-1 space per unit	1 to less than 1 per unit

- 7.54 The Council's UDP Policy T7 stipulates that permission will only be granted for development that complies with the Council's parking standards, and the standard for housing development set out in Appendix 6 is a maximum of one space per dwelling.

In either case allocated spaces for physically handicapped people should be provided. On the basis of the most up-to-date policy guidance (The London Plan) no more than 43 spaces should be provided on site to meet the needs of this development.

- 7.55 Although the Council Officers have suggested that a car free development would be welcomed, the applicants have resolved that this would simply not be commercially viable, and could cause difficulties for the occupiers of the wheelchair units. Accordingly, the basement makes provision for 20 parking spaces, approximately 47% of the maximum permitted provision, and therefore both the Council's adopted policies and the London Plan policies on car parking are fulfilled.
- 7.56 The Council's standards also require provision for cycle storage on site on a one-to-one basis, with an additional space per ten units for visitor cycle parking. Therefore, cycle parking for 44 cycles would be required. This standard is exceeded by the proposals, with 22 cycle parking spaces on the ground floor and an additional storage area in the basement that provide an additional 23 cycle parking spaces.

Sustainability and Energy Efficiency

- 7.57 In accordance with recently introduced national requirements the applicant has produced an Energy Statement and Sustainability Assessment accompanying this application outlining how on-site renewable energy production equipment will be installed as part of the proposal to reduce the carbon dioxide emissions resulting from the development by at least 20%.
- 7.58 The proposal therefore meets the provisions of PPS 22 and accordingly also accords with the Government's sustainable development strategy to reduce carbon dioxide emissions by facilitating renewable energy developments.

Open Space, Bio Diversity and Landscaping Proposals

- 7.59 It is a central tenet of this proposal that it should result in the re-establishment of a cohesive open space on the site in the interests of restoring and reflecting the UDP land use designations. The concept of a land swap has been agreed with Officers and these proposals would in fact result in an increase to the amount of designated open space that formerly existed. Significantly the new space that would be created as a

result of this application would also be more cohesive in its size and shape and hence of greater potential value to the community at large.

- 7.60 In addition, the new space created by the land swap would increase the amount of 'flat' space by in excess of 350 square metres, whereas the topography of much of the current designated open space steeply slopes down towards the railway that lies to the north-east of the site. Much of this sloping land has been accommodated within the development to be appropriately landscaped in order to positively contribute to the appearance of the surrounding area, whilst the flat space provided as part of the land swap would also be landscaped with semi-mature trees and shrubs.
- 7.61 There has been a considerable amount of discussion within the applicant team, the Council, and third parties, as to what form this open space should take and particularly whether it should be publicly accessible, accessible by prior arrangement or have no access at all. During these discussions the Council indicated its wish that the new space should not be publicly accessible, and the applicants have acceded to this preference, although of course access could be made available when necessary, for example to Network Rail contractors for maintenance purposes.
- 7.62 Under these circumstances, it is envisaged that the new open space will afford a significant opportunity to create a bio diverse habitat with a view, eventually, to restoring its former designation as a Site of Nature Conservation Importance. A report detailing draft proposals for this accompanies the application. These measures may be secured by way of planning conditions and a Section 106 agreement to ensure the ongoing management of any landscaping scheme, or alternatively ownership of this newly created open space could be transferred to the Council.
- 7.63 A number of the drawings that accompany this planning application provide details of proposed hard and soft landscaping. The applicant has also commissioned a tree consultancy firm to undertake an Arboricultural Implications Assessment in respect of the proposed development and this assessment accompanies the planning application. This assessment outlines the condition of the 23 trees and groups within the existing site, identifies which trees need to be removed on safety grounds, which trees should be removed or have works undertaken to facilitate this development, and includes in Appendix 3 an Arboricultural Method Statement detailing measures that would need to be taken to protect retained trees during the course of the proposed development.

- 7.64 Adopted development plan policies seek to ensure that existing open space is protected from development and that sites with bio-diversity importance are also protected and where possible enhanced. Although it has to be accepted that the actions of the current site owners (not the applicants) have had unfortunate consequences for the nature conservation interest on this site, these proposals also represent the mechanism by which the loss can be remedied and ultimately improved upon. The proposals are therefore cognisant of and supported by adopted policies.

Secured by design

- 7.65 It is a key fundamental of PPS 1, as set out in paragraph 5, that all new development “*supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community*”. In addition, paragraph 16 of PPS 3 states that, when assessing the design quality of proposed housing, consideration needs to be given to the safety and security of occupiers.
- 7.66 The publication entitled ‘*Safer Places: The Planning System and Crime Prevention*’ (2004), which was produced as a companion to PPS 1, sets out measures that can assist in the development of sustainable communities through crime reduction and prevention. Adopted UDP Policy SD1 also refers to community safety, requiring development to “incorporate design, layout and access measures which address personal safety, including fear of crime, security, and crime prevention.”
- 7.67 In formulating their proposals, the applicants have carefully considered both national and local planning policy to ensure that the development would create a sustainable community by incorporating measures to address personal safety and to both reduce and prevent crime. A meeting was held in June 2008 with the local Crime Prevention Design Advisor, and observations made during this meeting have been incorporated into the final scheme. The scheme now incorporates automatic closing full-height gates/shutters, boundary treatment of an appropriate height and design, and windows and doors all designed to meet/exceed the relevant standards. As part of a Secure by Design application, a Crime Impact Assessment has also been produced.

Section 106 Contributions

7.68 Policy 2A.1 of the London Plan and SD2 in the UDP seek to ensure that, where existing provision of infrastructure, facilities and services is not adequate to meet the needs generated by a new development, the Council would use planning obligations to secure necessary improvements directly related in scale or kind to the proposal in hand. Guidance from the DCLG on this issue is to be found in Circular 05/05 – Planning Obligations and this makes clear that any obligation sought by a local planning authority must be:-

- i) relevant to planning
- ii) necessary to make the proposed development acceptable in planning terms
- iii) directly related to the proposed development
- iv) fairly and reasonably related in scale and kind to the proposed development
- v) reasonable in all other respects

7.69 The applicants in this case accept that a Section 106 agreement will need to be completed before planning permission can be granted, and this agreement will need to cover matters such as the provision of affordable housing and its availability in the long term, and the provision and maintenance, or transfer to the Council, of the open space. The applicants are also agreeable in principle to making contributions towards education provision and local highway works subject to it being demonstrated by the Local Authority that such contributions are necessary and directly related to the proposed development.

8.0 CONCLUSIONS

- 8.1 The applicants do not in any way condone the actions of the current owners of the site in clearing it of trees and vegetation last year but seek to now bring forward proposals that will enable a housing development on part of the site and the restoration of open space on the remainder which will ultimately mature to provide a valuable natural habitat.
- 8.2 The application site comprises brownfield land and this proposal ensures the land is appropriately developed for residential purposes in the most efficient and effective manner possible. Housing development is a priority of the London Plan and the UDP, so the principle of residential development is in accordance with government guidance and development plan policy. The proposals would enable a land swap to secure both a viable residential development site and an area of open space in accordance with the existing UDP designation of part of the site.
- 8.3 The application proposals entail a density of development that falls within the requirements of the London Plan and its sustainable location is also supportive of the scale of development proposed.
- 8.4 The proposals include a wide range of different sizes of accommodation, all of which are designed to lifetime homes standards with four of the units specifically designed to be fully wheelchair accessible.
- 8.5 The proposal incorporates an appropriate amount of affordable housing for this particular site, both in terms of the amount of affordable housing provided and also the tenure split between social rented and intermediate units. The provision of the affordable housing can be secured by way of a Section 106 agreement.
- 8.6 The design of the application is an imaginative and attractive solution for this site that relates well to adjoining properties and the character of the area in general. The proposals have been assessed in relation to their relationship with adjoining residential properties and it is concluded that there will be no adverse impact thereon, according with the adopted policies of the Council and national planning policy.
- 8.7 The proposed development will facilitate the laying out of open space on the remainder of the site, accompanied by a sensitive and appropriate landscaping

scheme. As a result of extensive consultations with local resident and interest groups and the Council the application has noted a preference that this space should not be publicly accessible. It is therefore intended that access would be limited to adjoining residents and the proposed layout would also facilitate the re-establishment of wildlife habitats that would eventually be restored to its original condition, justifying its designation as a site of nature conservation importance.

- 8.9 The applicant is willing to enter into a Section 106 agreement with the Council to secure the provision of affordable housing, the restoration of maintenance of the open space and its possible transfer to the Council, and also education contributions; as well as such other matters as may be subsequently discussed and agreed with the Council, along with the imposition of relevant, reasonable and necessary planning conditions upon the granting of planning permission.
- 8.10 It is therefore considered in conclusion that the application proposals may justifiably be recommended for approval subject to the completion of an agreement and planning conditions.

APPENDIX 1

Site location plan



DEVELOPABLE LAND:
17,767 Square Feet

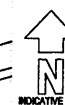
NOTES	
NO.	DESCRIPTION
1.	All dimensions to be checked on site.
2.	Where discrepancy occurs between specification and drawings the surveyor must be notified.
3.	COPYRIGHT: The contents of this drawing may not be reproduced in whole or in part without the written permission of SLB Architects.

REVISIONS			
NO.	DESCRIPTION	DATE	REV. BY
1.	XXX	00.00.00	



smith lance arcade & bechtol
Architects Ltd London
4 - 8 Canfield Gardens London NW6 3BS
Tel: 020 7372 2888 Fax: 020 7372 6333

OFF ADDRESS	
1 MILL LANE LONDON NW6	
DRAWING TITLE	
EXISTING SITE PLAN	
SCALE	DRAWN BY
1:500 at A2	AW
DATE	CHECKED BY
18.06.2007	
JOB NO.	ORG NO.
10090	SK/001
STAGE	INFORMATION



APPENDIX 2

Photographs of the application site and its surroundings



EXISTING BUILDING ON SITE



INTERIOR OF SITE LOOKING TOWARDS MILL LANE



INTERIOR VIEW OF SITE



INTERIOR OF SITE LOOKING TOWARDS MINSTER ROAD

NOTES

1. No dimensions to be noted from this drawing.
2. All dimensions to be checked on site.
3. Where discrepancy occurs between specification and drawings, the former must prevail.
4. COPYRIGHT: The contents of this drawing may not be reproduced in whole or in part without the written permission of S.I.I.B. Architects.

REVISIONS

Rev. No. Description Date

silib

smith lance arcade & bechtol
Architects Ltd London

4 - 8 Canfield Gardens London NW6 3BS
Tel: 020 7372 2886 Fax: 020 7372 0333

1-7 Mill Lane
LONDON
NW6

PHOTOGRAPHS OF SITE

DATE: N/A DRAWN: EW
DATE: JUNE 2008
SCALE: 10000 SHEET: P-001

PLANNING