

Address:	45-46 Chalk Farm Road and 2 Ferdinand Place London NW1 8AJ	
Application Number:	2006/5900/P	Officer: Conor McDonagh
Ward:	Haverstock	
Date Received:	22/12/2006	
Proposal: Change of use from offices (Class B1) at first and second floor level and erection of new roof extension to 2 Ferdinand Place to create eight residential units together with new doors and windows at ground floor level.		
Drawing Numbers:		
Letter from Currell Commercial dated 28/02/2007; Letter from Optic Realm dated 28/02/2007; Letter from Tim Foster Architects dated 28/02/2007; Environmental Rating for homes 2006;		
Design Statement Rev A dated 10/05/2007; Finance Report; Letter from Knight Frank dated 14/02/2007; Letter from Andrews Denford & Boyd dated 01/03/2007; Photo sheets x2; 00/01;PE/01; 02; 03; PP/01 Rev B; 02 Rev A; 03 Rev A; 04 Rev B; 05		
RECOMMENDATION SUMMARY: Grant Subject to Section 106 Agreement		
Applicant:	Agent:	
Avimo Limited 62 Yorkway London N1 9AG	Tim Foster Architects 1 Purley Place London N1 1QA	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	B1 Office A1 Retail		969 m ² 350 m ²
Proposed	C3 Dwelling House A1 Retail B1 Business		910 m ² 350 m ² 473 m ²

Residential Use Details:										
	Residential Type	No. of Habitable Rooms per Unit								
		1	2	3	4	5	6	7	8	9+

Existing	<i>Flat/Maisonette</i>									
Proposed	<i>Flat/Maisonette</i>		4	4						

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

OFFICERS' REPORT

Reason for Referral to Committee:

1. SITE

- 1.1 The site is occupied by a mixed use commercial building comprised of two primary linked elements located within Camden Town Centre. There is a part 1/part 3 storey building facing Chalk Farm Road. This comprises a single storey flat roof building with double shop frontage serving a vacant travel agent office (Class A1) facing Chalk Farm Road. This single storey building has a 6.8 metre high frontage being approximately 8 metres deep and is linked to an 8 metre high three storey pitched roof building serving as ancillary A1 accommodation on all three floors. This premises is in turn internally linked to a three storey flat roof element which is internally linked to the higher flat roof industrial building known as 2 Ferdinand Place, sited approximately 21 metres back from the Chalk Farm Road Frontage. This building has a wide entrance frontage to Ferdinand Place. The existing use of this industrial building is as offices (Class B1) on all three floors but currently vacant on all floors. The site therefore has a stepped profile in terms of roof height whereby the buildings raise in height from the single storey frontage on Chalk Farm Road linked via a pitched roof three storey building to the taller three storey flat roof industrial building at 2 Ferdinand Place.
- 1.2 The redundant industrial warehouse, fronting Ferdinand Place, is constructed of London Stock brick with a flat roof being 9.4 metres above street level. The north elevation facing Ferdinand Place, comprises four roller shutter entrances at ground level and traditional steel windows at first and second floor levels. The south elevation, which is set back 15 metres from Ferdinand Street, has the same windows at second floor level. The west elevation has no openings and the south elevation, facing the rear elevations of three storey properties facing Chalk Farm Road, has windows at first and second floor levels.
- 1.3 The neighbouring properties within and in close proximity to Ferdinand Place all differ in terms of bulk, design, use and height. No.13 Ferdinand Place is a two storey gable ended commercially let terrace. No. 4-8 immediately west of the industrial building is a single storey undertakers and no. 10 Ferdinand Street immediately to the north was a three storey building currently under construction to add a fourth floor for which planning permission was recently granted. There is also a 6 storey residential block of flats sited 33 metres north, known as Bloomfield, and a 5 storey block, 1-9 Ferdinand Street, sited 37 metres northwest of the industrial building.

2. THE PROPOSAL

Original

- 2.1 The proposal relates to an internal change of use of the industrial building at 2 Ferdinand Place from B1 on the first and second floors into residential (Class C3) with the addition of a fourth floor at roof level to increase residential floor space. Overall 4 x 3 bed and 4 x 2 bed self contained flats are proposed with their own

communal entrance via the Ferdinand Place frontage, in which there is a lobby providing access to a secure cycle store and separate waste/recycle area. Commercial B1 would be retained at ground floor level but would be subdivided into two separate units each having their own entrance and commercial refuse. The frontage facing Chalk Farm Road would remain as A1 with no external or internal alterations proposed.

- 2.2 The proposed roof extension would raise the height of the industrial building from 9 metres to 12.3 metres, with flush elevations on all sides apart from a setback of 2 metres from the north elevation to provide a roof terrace. The facing materials include black anodised stainless steel cladding and modern steel windows.

Revisions

- 2.3 Amended drawings have been received reducing the overall height of the roof extension by 100 mm and changing the cladding to pre-oxidised copper. The fenestration has been altered to include symmetrical glazing bars and better alignment with the existing windows on the levels below. The brick parapet was also raised by 400 mm to enclose the proposed roof terrace. Internally two of the flats have been identified as wheelchair accessible.

3. RELEVANT HISTORY

3.1 *45-46 Chalk Farm Road*

4230 Change of use for a limited period of 1st floor rear from light industrial to office with ancillary storage. **Temporary consent** 15/11/1967

20276 Continued use for a further limited period of the rear of the first floor for offices with ancillary storage. **Temporary consent** 06/06/1975

30074 Use of the second floor as offices. **Temporary consent** 07/07/1980

30790 Continued use of the rear of the first floor for offices with ancillary storage. **Temporary consent** 07/07/1980

34194(R) Continued use of part of the 2nd floor as offices. **Temporary consent** 20/07/1982.

PE9900164 Change of use from office, storage and retail to retail and tele-sales offices; new shopfront and rear extension. **Approved** 04/10/1999.

2 Ferdinand Place

10818 The use of the second floor of 2 Ferdinand Place N.W.1. for the manufacture of dresses. **Approved** 16/06/1971.

36177 Change of use of the 1st floor from industrial purposes to T.V/Film making studio and the storage, packing and mail order distribution of printed books and pamphlets with ancillary offices. **Approved** 21/06/1983. (Personal consent).

2003/2318/P The installation of an aluminium and glazed facade behind the existing shutters and openings on the Ferdinand Place frontage. The change of use from part of the ground floor from B8 (storage) to B1 (offices) and the addition of new and relocation of existing air conditioning plants at first floor roof level. **Approved** 23/12/2003.

4. **CONSULTATIONS**

Statutory Consultees

4.1 None

Conservation Area Advisory Committee

5.2 Not in any conservation area.

Local Groups

4.3 Camden Town Unlimited

Strongly supportive of the application so long as the development is sustainable. The mixed use of housing and business will ensure vibrancy of the area.

Adjoining Occupiers

	Original	R1
<i>Number of letters sent</i>	11	0
<i>Total number of responses received</i>	0	0
<i>Number of electronic responses</i>	0	0
<i>Number in support</i>	0	0
<i>Number of objections</i>	0	0

5. **POLICIES**

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. 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 Replacement Unitary Development Plan 2006

Policy	Title	Conformity
S1, S2	Sustainable development strategic policies	Complies subject to S106
S4, S6	Housing	Complies
SD1	Quality of life	Complies
SD2	Planning obligations	Complies
SD3	Mixed Use Development	Complies
SD4	Density of Development	Complies
SD6	Amenity for occupiers and neighbours	Complies
SD9	Resources and energy	Complies subject to S106
SD10	Hazards	Complies
B1	General design principles	Complies
B3	Alterations and extensions	Complies
B4	Shopfronts, advertisements and signs.	Complies
E2	Retention of existing business uses	Complies
H1	New housing	Complies
H7	Lifetime homes and wheelchair housing	Complies subject to S106
H8	Mix of units	Complies
T1	Sustainable transport	Complies
T3	Pedestrians and cycling	Complies
T4	Public transport	Complies
T8	Car free housing and car capped housing	Complies subject to S106

T12	Works affecting highways	Complies subject to S106
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5.2 **Camden Planning Guidance 2006**

Built form

Car free housing and car capped housing

Construction and demolition

Contaminated land

Cycle parking and storage

Daylight and sunlight

Design

Energy

Extensions, alterations and conservatories

Lifetime homes and wheelchair housing

Noise and vibration

Overlooking and privacy

Parking stress

Planning obligations

Planning obligations – Community facilities, local infrastructure and open space

Planning obligations – Environmental impacts

Plant, machinery and ducting – Design and siting

Public Open Space

Renewable energy onsite facilities – design and siting

Residential development standards

Roofs and Terraces

Sustainable buildings

Shopfronts

Waste and recyclables – onsite storage

5.3 **Other relevant guidance**

The London Plan (2004)

5.4 **National Guidance**

PPS1 – Delivering Sustainable Development

PPS3 – Housing

PPG4 – Industrial, commercial development and small firms

6. **ASSESSMENT**

6.1 The principal consideration material to the determination of this application and summarised as follows:

6.2 **Loss of employment floorspace:** In order to assess the change of use of B1 to C3, policy “E2-Retention of existing business uses” needs to be taken into consideration. Policy E2 states that the Council will not grant planning permission for development that involves the loss of a business on a site where there is potential for that use to continue.

6.3 Historically it appears that the first and second floors of the 2 Ferdinand Place site have been used for light industry (B1c) with a dress makers on the second floor and TV/film producers on the first floor. More recently the use became a telesales office (B1) at ground floor level. The proposed development would result in the loss of 496 sqm of commercial floorspace on the upper floors of the Ferdinand Place building on the site and following an extensive internal site inspection of these floors it is considered that the floorspace being lost to residential is not suitable for a range of business uses including B1(c) or B8. This assessment was reached given the lack of all the important design features which are required in order to achieve a flexible use for a range of commercial uses, again mostly B1(c) and B8. These design features that should allow for flexible use include:

- Floor loadings capable of supporting machinery and storage waste;
- Ceiling heights with sufficient headroom for the use of machinery and hoists;
- Provision of goods lifts from the ground floor to upper floors;
- Provision of wide doors/corridors; and
- Adequate turning/parking space for goods vehicles.

6.4 It is considered that that these floors do not incorporate any of the above features and are therefore not considered appropriate for commercial activities to continue. This coupled with a non-business use being proposed, has required the applicant to also demonstrate that there is no realistic prospect of demand to use the site for continuing employment uses. This building was formerly owned by the Council who had leased it to the former tenant. The applicant, who purchased the site from the Council, has acceptably demonstrated that prior to this purchase the previous Council tenant did undertake an extensive marketing exercise. Following this failed marketing exercise, a Report from the Council's "Director of Finance (Head of Property Services)" dated 5th July 2006 considered that the property would be hard to re-let without a large capital investment to sub-divide the building and a detailed options appraisal was also carried out. This report considered the benefits of a speculative investment as marginal for the Council. For this reason the freehold of the previous tenant was disposed of by the Council who subsequently sold the premises to the current applicant.

6.5 The previous tenant had advertised their lease on the market from May 2005 for a period of 15 months with no interest despite the offer of a reverse premium, which is a payment or other benefit offered to a person as an inducement to enter into a lease. The marketing programme was comprehensive including offering the premises as whole or as individual parts for both the office and retail premises by way of sub-leases. An extensive campaign was undertaken by the tenant including local mail shots, erecting advertising hoardings, selective advertising and regular targeting of agents. Since the property was purchased from the Council by the current applicant it has again been marketed both privately and publicly, but only drawing interest for the front retail unit facing Chalk Farm Road. The current owner has also employed a chartered surveyor to inspect the premises for its potential leasing to tenants. Their report concluded that that the premises would require a huge amount of remodelling at considerable expense and risk as there was no guarantee that there would be a market for the finished product. The 15 month marketing period by the previous tenant combined with the recent marketing by the

current owner is considered as adequate evidence in that the retention of the upper floors in 2 Ferdinand Street for business use has no potential to continue.

- 6.6 Notwithstanding this loss of commercial floorspace on the upper floors, the applicant has shown a desire to protect employment space at ground floor level and thus create a more sustainable mixed use scheme. Given its mixed use nature, this development will help facilitate sustainable lifestyles and economic activity and will also contribute to the creation of fair, socially inclusive communities. The optimisation of this large vacant and underused building is both welcomed and encouraged by the Council.
- 6.7 **Urban Design:** Before the merits of the roof extension design are discussed it is important to provide an overview of the surrounding context of the site. The building to be extended is the three storey industrial building known as 2 Ferdinand Place. The southern elevation of this building is sited 21 metres back from Chalk Farm Road, between which there are 8 metre high buildings, including the linking building 45-46 Chalk Farm Road, fronting this Road. The west elevation of 2 Ferdinand Place is set back 15 metres from the Ferdinand Street frontage, on which there are 7 metre high two storey buildings known as 2-8 Ferdinand Street of which number 8 is on the corner with Ferdinand Place. Given this degree of set back from the Chalk Farm Road and Ferdinand Street frontages coupled with the high degree of enclosure from surrounding tall buildings, in that 2 Ferdinand Place is only highly visible from Ferdinand Place, it is considered that the principal of a roof extension at fourth floor level in this location is acceptable.
- 6.8 The surrounding building heights include four, five and six storey buildings. A fourth floor extension was recently approved at 10 Ferdinand Street, sited 7 metres across Ferdinand Place from the application site, which will have an overall height of 11.9 metres. Given that the proposed roof extension height will be 12.3 metres, this is considered an acceptable increase in height as the building is highly enclosed and the resultant roof height will be no more prominent than the roofs of the surrounding neighbours.
- 6.9 On the Chalk Farm Road frontage there is an existing spatial gap between no.s 39 and 49 whereby there are single storey shopfronts set forward 4 metres of two storey buildings behind. This gap is considered an important characteristic of the streetscene worth preserving. Given the 21 metre set back of the roof extension from the Chalk Farm Road frontage, it is considered that the roof extension will not erode this spatial gap and is therefore acceptable in this location. The extension will therefore not impact upon the visual amenities of the streetscene. When viewed from the elevated vantage points of Camden Market on the opposite side of Chalk Farm Road, the extension will also appear subordinate to neighbouring roof forms.
- 6.10 In terms of detailed design it is considered that the extension is also acceptable. The design, materials, size and alignment of the proposed fenestration relates well to the existing windows on the lower levels. The applicant was advised by officer's that the cladding material of the roof extension be pre-oxidised copper, which is of a dark brown colour, in order to respect the existing industrial appearance of the host building while also appearing as a modern robust, durable and sustainable material not requiring much maintenance. The new windows at roof level are of

powder coated aluminium which is also acceptable. The raising of the parapet will be in matching London stock brick and the metal balustrade above is in keeping with the new steel replacement windows. The new ground floor frontage facing Ferdinand Street comprises glass entrance doors with silver powder coated aluminium frames, stainless steel letterboxes and door handles and Iroko hardwood bin store doors, all of which are a significant improvement to the existing corrugated roller shuttering. Samples of the proposed materials will be requested by condition to ensure the highest possible quality.

- 6.11 **Neighbouring Amenity:** There are no nearby neighbouring gardens or habitable room windows that will be impacted upon by the roof extension. There will be some shading on the proposed bedroom windows on the south elevation of the redeveloped 10 Ferdinand Street to the north of the site, however, this shadowing will only occur during a short period within the afternoon but does not fail the BRE test and therefore complies with policy SD6. Similarly there will be no significant loss of outlook to this neighbour given the 9 metre separation distance from the north elevation of the roof extension.
- 6.12 In terms of privacy, the proposed development will not result in the direct overlooking of any habitable rooms. The rear windows serving the rear of no.s 43 and 44 Chalk Farm Road, sited approximately 10-13 metres from the south elevation of the applicant, do not serve residential accommodation and are instead occupied by commercial activities. The rear elevations of no.s 4, 6 and 8 Ferdinand Street also have no habitable room windows that would be overlooked. The closest habitable room windows to the applicant will be found at 10 Ferdinand Street, once developed, approximately 7 metres away. A degree of overlooking will occur here, however this will be at an angle across a highway whereby a degree of privacy loss is expected for habitable room windows facing the public realm. Notwithstanding this, policy only requires this 18 metre distance to be implemented for directly facing habitable room windows. The new windows on the east elevation will only overlook the low level roof of 4 Ferdinand Street.
- 6.13 **New Housing:** The proposal would result in the creation of 8 new residential dwellings which is a net increase of 8 dwellings on this underused site. This will help to meet the Council's strategic target and will enable the efficient use of the site and is acceptable subject to compliance with land use policy "E2-Retention of existing business uses" and other environmental policies.
- 6.14 **Mix of Units:** The proposed development consists of four 2-bedroom units and four 3 bedroom units. It is considered that this would constitute an appropriate mix of units and includes much sought after family units.
- 6.15 **Residential living standards:** All of the two and three bed flats exceed the 48 sqm and 61 sqm minimum floor space required respectively and all rooms have a minimum 2.3 m ceiling height and are adequately served by light and ventilation from reasonably sized windows. Only the two 3 bed flats occupying the new third floor will be served by outdoor amenity space in the form of two private roof terraces. However, in such a dense urban area it is not always achievable to provide amenity space for all new flats and the site is a short walking distance Regent Park's, which is an area of open public space. The nature of this

development is considered to lead to an increased demand for public open spaces therefore an open space contribution of £15,030 has been calculated to be secured by the S106 legal agreement.

- 6.16 **Lifetime homes and wheelchair housing:** The applicant has submitted an access statement confirming that Lifetime Homes will be satisfied and two of the 8 flats (25%) are provided as wheel chair housing which is in excess of the 10% required. The Council's Access Officer is satisfied with these provisions.
- 6.17 **Waste and Recycling:** In residential developments of 7 dwellings or more the internal storage of waste and recycling must be located in an accessible and commonly used communal area at ground floor level, which is achieved in this development. The area of the commercial refuse is also acceptable in that it is separate from the residential storage area and is enclosed in a chamber that can be accessed from the outside of the building and is located with 10 metres from an external access. Open space contributions
- 6.18 **Sustainability:** This is not a major application and does not require 10% of energy to be achieved on site or a Breeam report. However the applicant has submitted a design statement which deals with renewable energy under section "5.0 Environmental Impact". In terms of sustainability the applicant has submitted an EcoHomes pre-assessment with respect to the proposed development. In all applications it is expected that the EcoHomes Assessment achieves Very Good or better. According to the information contained within the pre-assessment the scheme achieves Very Good with a score of 62.70, which is acceptable. The applicant has also proposed to use solar heating panels for hot water within the eight flats.
- 6.20 With regard to onsite water recycling the applicant has indicated clearly within the design statement that provisions will be made for rainwater harvesting and grey water recycling for all the eight flats. Within the EcoHomes report "Section 5 – Water" it is also proposed to provide water saving fittings in all the flats. This development therefore reduces the consumption of treated water and reduces the volume of waste water contributing to water conservation. Further details of water recycling will be secured by the S106 agreement.
- 6.21 **Biodiversity:** In addition the applicant has also proposed to install a brown roof using soil and crushed aggregate which will contribute to both biodiversity and also increase roof insulation. A condition will be applied to secure this.
- 6.22 **Transport:** The 8 new residential units would need to be car-free to be secured via the S106 agreement given that the site is in an area of high Public Transport Accessibility Level (PTAL) of 5 within the town centre close to public transport links. The applicant would also need to provide 8 cycle parking spaces, the design of which will need to be approved and approval reserved by condition. A S106 agreement for highways works to repave and remove redundant crossovers of the pavement outside the development on Ferdinand Place is also required.
- 6.23 **Community Safety:** The development has incorporated a design which incorporates measures that acceptably address the personal safety of prospective

residents. The proposed communal access to the flats and two commercial accesses facing Ferdinand Place are flush with the existing elevation thereby preventing the opportunity for anti-social behaviour and associated crime that may occur if the accesses were recessed. In terms of lighting, Ferdinand Place already has street lamps providing sufficient lighting to encourage the legitimate usage of the street which also increases civic pride. There is wall lighting already fixed to the Ferdinand Street elevation and this also reduces the potential for criminal activity opportunities. The Police were satisfied with the proposal.

7. **CONCLUSION**

- 7.1 Overall, it is considered that the eight new residential units are of a high standard and positively contribute to the housing stock available within the borough. The loss of the commercial floorspace is also acceptable given the inflexible nature of the upper floors coupled the extensive marketing exercise undertaken by both the previous tenants and current owners to attract commercial tenants. The sustainable energy technologies proposed in the building to be secured by legal agreement are also welcomed. The design of the roof extension is considered to be acceptable and it responds well to the surrounding building heights and will not impact upon the visual amenities of the street scene given the degree of set back and enclosure. The new extension is not considered to result in unreasonable shadowing or overlooking to any residential dwellings and will not result in stress to the Council's traffic and roading network.

8. **LEGAL COMMENTS**

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

9. **Recommendation 1:** Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Car-free housing for 8 units
- Education Contributions **£54,468**
- Open Space Contribution **£15,030**
- Lifetime homes terms
- Ecohomes assessment to achieve post construction accreditation of 'very good' or more
- On site water conservation including rainwater harvesting and grey water use.
- Costs associated highways works to repave and remove redundant crossovers of the pavement outside the development on Ferdinand Place.
- Development of a Construction Management Plan.

10. **Recommendation 2:** That in the event of the Section 106 agreement referred to in Recommendation 1 has not been completed within 8 weeks of the date of complete submission of the application, the Head of Development Control be given authority to refuse the application for the following reasons:
1. The proposed development, in the absence of a legal agreement for car-free housing, would be likely to contribute unacceptably to parking congestion in the surrounding area, contrary to policies T7 and T8 of the London Borough of Camden Replacement Unitary Development Plan 2006.
 2. The proposed development, in the absence of a legal agreement requiring the internal design of the new units to appropriate Lifetime Homes standards, would fail to provide housing adaptable and suitable for future residents, contrary to policy H7 of the London Borough of Camden Replacement Unitary Development Plan 2006.
 3. The proposed development, in the absence of a legal agreement securing educational contributions, would be likely to contribute unacceptably to pressure on the Borough's educational facilities, contrary to policy SD2 of the London Borough of Camden Replacement Unitary Development Plan 2006.
 4. The proposed development, in the absence of a legal agreement securing public open space contributions, would be likely to contribute unacceptably to pressure on the Borough's open space facilities, contrary to policy N4 of the London Borough of Camden Replacement Unitary Development Plan 2006.