

- 5.39 In this case, the Applicant has undertaken practical measures to reduce the amount of overlooking from the Proposal to a level that cannot be considered to be significantly detrimental enough to justify the refusal of planning permission.
- 5.40 In light of the above, it is clear that the Proposal accords with the requirements of Policy N2b of the Replacement UDP.

**f) Other Matters**

- 5.41 It has been explained above how the Proposal accords with the Council's Planning Brief, Site Allocation, residential / employment / open space related policies of the Central London Area contained within the Replacement UDP. Set out below is a summary of the other development control matters considered relevant in the determination of the Proposal.

Residential Use

- 5.42 Policy H1 of the Replacement UDP explains that the Council will seek to secure the fullest possible residential use of vacant and underused sites and buildings. As illustrated in the above table under paragraph 4.10, the residential component of the proposal accounts for 68.4% of the total floorspace (GEA). Furthermore, it is important to appreciate that only the ground floor levels and above is suitable for residential development. When this is taken into consideration, excluding the small commercial reception on the ground floor of the block fronting Whitfield Street, 98% of the remainder of the above ground floor space is proposed to be used for residential purposes. It is clear that the fullest possible residential use is proposed for the Site. As such, the proposed development is clearly in accordance with Policy H1 of the Replacement UDP.

Affordable Housing

- 5.43 As highlighted in Camden's Planning Guidance in the section on "Calculating the Amount of Affordable Housing Sought on site - Number of Dwellings", the planning policies do not specify how the proportion of affordable housing should be calculated, but that the borough generally calculates the proportion in terms of the number of units. The Planning Brief also implies that affordable housing provision is calculated on a unit basis.
- 5.44 Of the 22 residential units proposed, the Proposal designates 11 of these units for affordable housing purposes. This provision equates to 50% of the total number of residential units. The proposal is therefore in accordance with your Council's Policy H2 of

the Replacement UDP, the Council's Planning Guidance and Planning Brief for the Site.

5.45 In respect of the split between Social Rented and Intermediate tenures of affordable housing, as per Policy H2 of the Replacement UDP, a 70/30 split (calculated on a unit basis) between Affordable Housing and Social Rented respectively is required. As demonstrated in the table below, the proposal provides for 9 Social Rented units and 2 Intermediate units; providing a percentage split of 81.8% Social Rented to 18.2% Intermediate housing. This is a significant benefit, over and above your Council's normal requirements.

5.46 In terms of the affordable housing dwelling mix proposed, this should be considered in light of the fact that:

- the above provision of affordable housing units was agreed as being acceptable with Camden Council's Housing Association Development Co-ordinator, Michael Cox, during a meeting undertaken with the Applicant on 8<sup>th</sup> May 2007 and following discussion with Planning Officer Alex Bushel after the pre-application meeting for the Proposal;
- Michael Cox has liaised with the Council's Regeneration team who confirmed that they would like to see a combination of 1, 2 and 3 beds on this Site. It was agreed that the Site is suitable for 4 bed units. In addition, it was suggested that the 1 bed unit on the ground floor should be built to wheelchair standards;
- 88% of the social rented units will be family related accommodation (2+ bed); and,
- 53% of the social rented habitable rooms will be provided within the 3-bed units.

#### Size, Mix and Quality of the Residential Units

5.47 In accordance with the Planning Brief for the Site, and Policy H8 of the Replacement UDP, the Proposal will provide for more than 50% of the resident units being occupied by families. These units will also be provided with private and semi-private amenity space, which, in this Central London Location, is more than sufficient.

5.48 This provision will help to address the Council's Borough-wide need for a range of unit sizes.

- 5.49 The Proposal has also been designed to accord with the Council's SPG on Internal Arrangements for Residential Development.

#### Neighbouring Residential Amenity

- 5.50 The neighbouring residential units that are most likely to be affected by the Proposal are those on the uppers floor levels of the rear of the properties fronting Windmill Street and Charlotte Street. Properties facing the Site that front onto Whitfield Street and Colville Place will also be affected but not to the same extent.

- 5.51 Set out below is a summary of the effect of the Proposal on the following amenity related topics areas – daylighting, privacy, noise and light pollution.

#### *Daylighting*

- 5.52 The Sunlight & Daylight Report, prepared by Schatunowski Brooks, that has been submitted in support of the Proposal concludes in favour of the Proposal.

#### *Privacy*

- 5.53 The windows facing the rear of properties facing Windmill Street fall within the 18-metre separation distance set out in the Camden's Planning Guidance. However, these windows have been kept to an absolute minimum and will provide a source of light for bedrooms that are only used for sleeping purposes. It should also be noted that privacy screens will be fixed to these windows, a privacy protection method that has been agreed with the Council for this Site since 2005.

- 5.54 There would be no windows within the Proposal that face the rear elevations of the buildings fronting Charlotte Street and the separation between the Site and Colville Place would be well beyond the Planning Guidance standard.

#### *Noise*

- 5.55 The Proposal will incorporate a plant room within the lower ground level of the Proposal. It is therefore considered that no noise from the plant equipment within the Site will be audible to the occupiers of adjoining residential units during its operation.

- 5.56 No noise assessment has been submitted in support of the Proposal. If the Council still raises concerns in relation to level of noise emanating from the Site and considers there is a need to seek to secure appropriate attenuation measures, the Applicant requests that

this matter be dealt with by way of a Condition.

#### *Light Pollution*

- 5.57 As indicated above, the occupiers of the residential units will draw their curtains when internal lights are illuminated, therefore ensuring that light pollution emanating from the Site will be immaterial.
- 5.58 As a consequence of the above, the Proposal fully accords with Policies SD6, SD7 and SD8 of the Replacement UDP.

#### Design & Townscape

- 5.59 The Planning Brief for the Site requires the following design aims for any development on the Site:
- the main elevations of the Proposal should face onto Crabtree Fields;
  - could be constructed up to five-storeys on the Whitfield Street elevation and stepped down to the rear to three-storeys; and,
  - the Whitfield Street elevation should have a vertical emphasis in its design.
- 5.60 The Proposal accords with the above design aims, although the retention of the existing boundary wall along the north elevation (a requirement of the Council agreed during pre-application discussion) somewhat reduces the effectiveness of the Proposal to interact with Crabtree Fields.
- 5.61 The design and treatment of the Whitfield Street elevation includes a vertical emphasis, with the principal supporting first floor band using Natural Portland Stone, with subsequent bands in metal panels as part of the window elements. The brick work "panels" will be constructed of red coloured bricks. The glass for the windows will be pale grey Low Emissivity Glazing. The proportions and character of the elevations are in keeping with the character of Whitfield Street and Colville Place (partially Grade II listed). It should also be noted that the design and appearance of the building has also been agreed by the Council's Design Officer during pre-application discussions.
- 5.62 The green roof proposed will provide a pleasant outlook, and will in fact improve the visual amenity of the Site, for residents overlooking the Site from the north, south and west.



- 5.63 As a consequence, the Proposal fully accords with the aims of PPG15, the Council's Planning Brief for the Site, the SPG on the Charlotte Street Conservation Area and Policies B1, B2, B6, B7 and B9 of the Replacement UDP. A Design and Access Statement has also been submitted in support of this application, which provide further details of the design of the Proposal.

#### Ecology

- 5.64 The ecological provisions included within the Proposal (i.e. green roof and improved nesting provision), will accord with Policy 1 of the Mayor's Biodiversity Strategy (published 2002), which seeks to promote the protection and improvement of wildlife and important species.
- 5.65 The Site is currently of negligible value as an ecological resource, comprising only buildings and hard-standing with no vegetation or obvious opportunities for wildlife. Wildlife interest within the zone of influence of the Proposal is restricted to Crabtree Fields, an area of open space situated adjacent and to the north of the Site.
- 5.66 Crabtree Fields is not subject to statutory or non-statutory protection on account of its nature conservation importance. It comprises planted trees, including mature London planes, amenity grassland and other predominantly ornamental, intensively managed vegetation of little inherent ecological value. However, the open space is known to provide roosting, foraging and nesting habitat for two bird species of conservation concern, namely the house sparrow and the starling, both of which have declined in recent years. The house sparrow is the subject of conservation action, it being identified in both the London and Camden Biodiversity Action Plans (BAP). In the context of the local surroundings, which are identified in the Replacement UDP as being within a nature conservation deficiency area, Crabtree Fields is therefore of some value as a resource for wildlife and also as an amenity for residents and workers.
- 5.67 The Proposal has been designed to minimise potential adverse ecological impacts and to maximise the biodiversity potential of both the Site and Crabtree Fields. Of particular relevance to this Proposal is the retention of the north boundary wall which will also be enhanced to allow further growth of climbing vegetation, thereby providing additional cover for important bird species and retaining dark, secluded areas within the open space at night. This initiative has been included within the Proposal specifically to alleviate concerns raised by representatives of the Council's Parks Department and other third parties in connection with the June 2005 and January 2006 Applications, which related to the safeguarding of the nesting sites of the Starlings and Sparrows within the vegetation fixed to the northern boundary wall of the Site.

- 5.68 The new development will include exemplars of ecological design as recommended in design guidance for London, including "extensive" green roofs (to encourage wildflowers and invertebrates upon which birds can feed). The northern boundary will be retained and enhanced through the encouragement of plants to grow up its southern elevation.
- 5.69 Crabtree Fields will be enhanced through the erection of a range of bird and bat nesting boxes and the Applicant's substantial financial contribution towards the upkeep / improvements of this open space.
- 5.70 In terms of light pollution, the occupiers of the residential units will draw their curtains when internal lights are illuminated, therefore the light pollution emanating from the Site will not have an impact on the nesting practices of birds and other fauna. Notwithstanding this, the additional planting proposed along the northern boundary of the Site that will increase nesting provision and protect the existing nesting sites.
- 5.71 With the approach set out above the Proposal will enhance the local ecological resource by retaining and improving opportunities for wildlife at Crabtree Fields. As such the proposals accord with Policy 3D.12 of the London Plan, Policy N5 Biodiversity and N6 Nature Conservation Site of the Replacement UDP and Policy 1 of the Mayor's Biodiversity Strategy. To demonstrate the above an Ecological Appraisal has been submitted in support of this application.

#### Transport & Parking

- 5.72 The Proposal is for a car free development. As such, the Proposal will not have an impact on the capacity of the local road network. The proposed on-site service access into the Site utilises the existing vehicular access point.
- 5.73 The occupiers of the B1/D1/D2 floorspace will travel to work by way of public transport or by bicycle. As confirmed by the TS submitted in support of the Proposal, local public transport facilities will be able to sufficiently accommodate the demand created by the Proposal on these facilities. In addition, the residential and B1/D1/D2 units proposed are to be provided with cycle storage.
- 5.74 Notwithstanding the above, the Applicant includes a substantial financial contribution towards highway / environmental improvement works within the vicinity of the Site.
- 5.75 As a consequence, the Proposal fully accords with the Council's Planning Brief for the Site, the Council's SPG on Car Free Development and Policies T1, T2, T3, T4, T8 and T9 of the

Replacement UDP.

Sustainability and Renewable Energy Provision

- 5.76 The Ecohomes Report submitted in support of this Proposal demonstrates that the Proposal has a pre-certification rating of "very-good". The BREEAM Report, also submitted in support of the Proposal, demonstrates that the Proposal has a pre-certification rating of "very good".
- 5.77 The Replacement UDP states that major developments of 1000m<sup>2</sup> of 10 housing units or more should incorporate renewable energy production to provide at least 10% of predicted energy requirements. The Replacement UDP identifies that the most likely sources of renewable energy for developments in Camden are solar water heating, photovoltaic cells, small scale wind turbines, passive solar energy, natural ventilation and borehole cooling.
- 5.78 However, it is considered that the abovementioned renewable energy technologies are not appropriate for the Proposal. The Site is located in a high density urban area, and is heavily overlooked by the properties on Windmill Street and Charlotte Street. It is therefore considered that the solar panels/photovoltaics, solar water heating and small scale wind turbines would be inappropriate. Furthermore, the placing of the necessary number of photovoltaics/solar panels to meet 10% of the energy requirement of the Site would also undermine the functionality of the proposed green roof, which itself has been warmly welcomed by the Council. In addition, due to the extensive depth of the concrete flooring in the basement it is also considered that it would be impracticable to implement borehole cooling.
- 5.79 Accordingly, this Proposal therefore incorporates a biomass district heating facility (backed up by conventional boilers) that will be provided on the lower ground floor. The biomass facility will provide heating and energy for the residential units at the front section of the Whitfield Street Site, as well as for the B1/D1/D2 floorspace. It is anticipated that this biomass heating district facility will provide for 10% of the Proposals renewable energy requirement. Further details of the Proposals renewable energy provision can found in the Energy Statement which is currently being prepared and will be submitted in support of this application in due course. In the meantime, attached as Appendix 4 is a Statement of the Applicant's Intent which has been prepared by Scott Wilson.
- 5.80 As a consequence, the Proposal fully accords with Policies SD1 and SD9 of the Replacement UDP.



### Archaeology

- 5.81 An Archaeological Assessment of the Site has been carried out by the Museum of London Archaeology Service (MoLAS) and is available upon request. Because it is proposed to retain the basement, the ground under the Site will not be disturbed.
- 5.82 As a consequence of the above, the Proposal fully accords with and Policy B8 of the Replacement UDP.

### Contamination

- 5.83 A Phase 1 Desktop Based Environmental Review, prepared by Taywood Engineering in June 2001 (Ref. N954/01/12823), has been completed, a copy of which can be provided upon request. The conclusion of this review is that the risks to Site occupiers from ground and groundwater contamination are low. However, the form of the Proposed Development was not known when the Taywood report was prepared.
- 5.84 On the basis that the proposed building utilises the existing basement and lower ground levels already constructed on the Site (which is fully tanked and impenetrable to contaminants) and there is no proposed excavation below ground level, there is no risk of exposing any sub-level contaminants.
- 5.85 With regard to other sources of on-site contamination, it is understood that there may be asbestos in the existing building. This will be disposed of by way of specialist treatment.
- 5.86 As a consequence, the Proposal fully accords with Policy SD10 of the Replacement UDP.

### Secure-by Design

- 5.87 In accordance with the Council's Planning Guidance on Designing Safer Environments, and Policy SD1(d) of the Replacement UDP, the Applicant has met with Secured by Design Officers from the Metropolitan Police, Terry Cox and Adam Lindsay (on 13 August 2007) to discuss the Proposal.
- 5.88 During this meeting, PC's Mr. Adam Lindsay and Mr. Terry Cox advised that doors on the Whitfield Street frontage should be fitted at building line level. It was considered that this would prevent a recess being built which may be abused by people committing crime or anti-social behaviour. Accordingly, this Proposal incorporates a secured gated entrance that lies flush with the building.



- 5.89 In respect of the two court yard gardens to the rear of the Site, the Secured by Design Officers stated that it should not be easy to gain access from one courtyard garden to the other. Accordingly, the Proposal incorporates a trellis between the two rear gardens of the mews properties.
- 5.90 The Secured by Design Officers further suggested that the gating to the residential mews from Whitfield Street should be designed to be full width and height of the archway opening, and that no climbing assistance should be made on the design of the gates. The Proposal incorporates a gate to the entrance to the Mews houses that is the full width of the opening, and virtually the full height. The gate will also be of a design that will not assist climbing. The Secured By Design Officers also commented that the location of the utility meters being behind the gated entrance was a suitable location as it would allow for the meters to be inspected without entrance to individual units/flats.
- 5.91 In addition, the use of the existing boundary walls and provision of key entry gates and doorways will ensure that there are no opportunities for threatening and criminal behaviour within the Site.
- 5.92 Accordingly, the Applicant is of the opinion that the impact of the Proposal on crime and anti-social behavior has therefore been considered, addressed and where appropriate designed out. It is therefore considered that this Proposal is in accordance with Policy SD1(d) of the Replacement UDP and Camden's Planning Guidance.

#### Lifetime Homes and Wheelchair Housing

- 5.93 Although it is not possible (or cost effective) to ensure that the residential units above ground level are fully wheelchair accessible, the ground floor residential unit fronting Whitfield Street will be fully wheelchair accessible. In addition, the B1/D1/D2 floorspace will also be fully wheel chair accessible.
- 5.94 All of the residential units have also been built to lifetime homes standards.
- 5.95 In this respect, the Applicant has, where practicable and reasonable, made provision to facilitate access for, and use by, persons with disabilities, in accordance with Policy H7 of the Replacement UDP.

### Heads of Terms

- 5.96 The financial contributions offered by the Applicant will ensure that the effect of the Proposal on education facilities and the adjoining open space and highway is mitigated. As a consequence, the Proposal fully accords with the Council's Planning Guidance on Planning Obligations and Education Contributions, and Policy SD2 of the Replacement UDP.

## **6.0 SUMMARY OF BENEFITS**

### **Introduction**

- 6.1 This Chapter of the Planning Statements summarises the benefits the Proposal will have on the local community and London as a whole.

### **Benefits**

- 6.2 The Proposal optimises the use of an accessible urban brownfield site in a highly sustainable manner that complies with current national, regional and local planning policy.
- 6.3 The Proposal provides for a mixed-use scheme that meets the objectives of the Council's Planning Brief and Site Proposal 44 for the Site.
- 6.4 The Proposal will provide 12 three bed plus family units that contribute towards meeting the identified needs of the Borough and London as a whole.
- 6.5 The Proposal provides for 11 affordable housing units, equating to 50% of the total number residential units proposed.
- 6.6 The Proposal offers 9 units (81.8%) of the 11 affordable units as Social Rented housing and 2 units (18.2%) as Intermediate housing.
- 6.7 The Proposal will result in the provision of full-time jobs thereby meeting the main objectives of the Central London Policy Area.
- 6.8 The Proposal has the potential to provide for a medical facility or other community facility, subject to market demand.
- 6.9 The Proposal will replace an unattractive, vacant building with a high quality development that will improve the setting of adjoining listed buildings, the surrounding Conservation Area and the general streetscene.
- 6.10 The Proposal includes a number of ecological improvements within this Site which is currently devoid of any vegetation or natural habitat.
- 6.11 The Proposal offers the retention and improvement of the nesting habitat located within the flora attached to the boundary wall located along the north boundary of the Site.