

Delegated Report		Analysis sheet		Expiry Date:		13/09/2007	
		N/A / attached		Consultation Expiry Date:		12/09/2007	
Officer				Application Number(s)			
Kiran Chauhan				2007/3654/P			
Application Address				Drawing Numbers			
44 Hatton Garden London EC1N 8ER				See decision.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Details of sustainability appraisal pursuant to condition 4 of planning permission dated 19.3.07 (ref. 2006/5841/P) for change of use from office (Class B1) to residential (Class C3) use.							
Recommendation(s):		Part approve/part refuse.					
Application Type:		Approval of Details					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
Summary of consultation responses:							
CAAC/Local groups* comments: *Please Specify							

Site Description

The application site comprises a 7-storey building with basement on the corner of St Cross Street and Hatton Garden. The ground floor and basement are in retail use (Walsh – Jewellery retailer) with separate office use on the upper floors (partially vacant).

The site is within the Hatton Garden Conservation Area. The nearest listed building is Wren House on the opposite side of St Cross Street.

Relevant History

2006/5841/P – PP granted on 19.3.07 subject to S106 for change of use from office (Class B1) to residential (Class C3) to create 10 new self-contained units (one x 1 bed, seven x 2 bed and two x 3 bed units), and associated internal and external alterations.

Relevant policies

SD9, SD1, B1
CPG

Assessment

Condition 4 reads:

Prior to the commencement of any development hereby permitted, details of a sustainability appraisal for design stage to achieve a 'very good' score in accordance with the Ecohomes/Breeam assessment techniques including the use of renewable energy provision to meet 10% of the buildings electricity needs and measures to enhance biodiversity. Such details shall include a program of works with an undertaking to implement a post construction review prior to first occupation of the relevant space. The sustainability measures shall be carried out and maintained in accordance with the approved details.

Reason: To enable control over the sustainability characteristics of the building in accordance with the requirements of policies SD1, SD9, and B1 of the London Borough of Camden Unitary Development Plan 2006.

There are thus 3 discrete elements of the condition which need to be addressed:

1. Ecohomes

The original report submitted with the application only showed that the proposal was capable of achieving a good rating. However, a revised report has been submitted which shows that it now can reach a very good rating. However, it does not meet the CPG target for 60% of the credits in Energy and Water but are very close. On the basis that it has achieved the 'very good' rating and on the basis that the requirements fall marginally short, it is considered that the submission is acceptable.

2. Biodiversity

The information submitted states that a brown roof will be installed on the roof. The roof plan shows that only a small area of brown roof will be installed which is regrettable but given that solar panels or photovoltaics (PV's) may be needed on the rest of the roof (see below), the amount provided is acceptable.

3. 10% renewables

The scheme does not propose to meet any of the 10% renewable energy requirement, contrary to policy SD9. As such, more information was requested to justify why the energy requirement cannot be met. In response, a renewable energy assessed was submitted. This assessment was reviewed but all of the options do not appear to have been fully explored. The applicants could:

1. Install a biomass boiler to meet the hot water needs of the occupiers, but this would take up substantial space. They would need to lose some of the space at ground and basement floors–

however, this could raise issues with the loss of jewellery trade floorspace which is protected in the UDP in this location.

2. Install solar panels - given the limited size of the roof, there would be limited room for panels which probably would not meet 10%; however it would be a start. The applicants would need to provide more information about the roof top plant and explain why the panels cannot be placed on top.

3. Install of PV's in the existing rooflights. It appears that some rooflights will be south-facing and so could have PV's installed on them. This would still not meet 10% and be expensive, but it should be noted that all other Major applications are involving additional expenditure to install renewables.

The applicant could also provide a combination of items 2 & 3.

The lower the energy demand for the building, the less renewable energy generation is required. The applicants would have to upgrade the building to comply with building regulations. It does not appear that any further improvement is being made on the Part L requirement.

The applicant should also provide further information on how they are going to conserve energy through the use of materials and upgrading of the building eg. insulation, air tightness, replacement windows. It is considered that if the applicants cannot reach the 10% target, they should come up with alternative suggestions before requesting for the condition to be varied [a variation condition application would also be required].

In response to the above, the applicant stated that there is no requirement in the condition to suggest that the energy be provided on-site. The applicants have therefore suggested that an undertaking will be written into each tenants lease to require that they subscribe to renewable energy providers for the building's electrical requirements. However, it is not considered that this could be controlled reasonably through planning legislation and it is also not enforceable.

The Committee report of the approved scheme acknowledged that there may be difficulties of meeting the 10% requirement. However, no justification has been provided by the applicants to demonstrate that the 10% figure cannot be totally achieved and that a lower figure should be acceptable here given the particular site's and proposal's circumstances. In the absence of this, the condition requires compliance. The wording and requirement of policy SD9 is clear and on the basis of the above, the condition cannot be discharged.

Recommendation: Split decision:

1. Part approve Ecohomes and biodiversity

2. Part refuse 10% energy