

ORIGIN GROUP LTD

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**SUPPORTING STATEMENT**

ON

**13 BRITANNIA STREET &  
146-146A WICKLOW STREET  
LONDON  
W1**

AS AT

**DECEMBER 2006**

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**Appendices**

- 1 Copy of Officer's Report and Decision Notice

## **1 INTRODUCTION**

1.1 King Sturge have been instructed by Origin Group, a Registered Social Landlord (RSL) to provide planning consultancy advice concerning the redevelopment of land located at 13 Britannia Street and 146-146A Wicklow Street, London, W1X 9LF. The attached detailed planning application, conservation area application seeks consent for re-development of an existing car park to provide 23 affordable residential units.

1.2 This Supporting Statement aims to provide a planning and design appraisal for the proposal, setting it in context with the existing character and appearance of the area whilst having regard to government guidance and the planning policies of the Mayor of London and the London Borough of Camden.

1.3 The attached detailed planning application seeks consent for the part demolition of an existing on site boundary wall, brick air vent (associated with London Underground), to provide the redevelopment comprising 23 residential units.

1.4 This document is to be read in conjunction with the other supporting documents which include the following specialist reports:-

- Design and Access Statement
- Sustainability Appraisal
- Daylight & Sunlight Assessment
- Energy Strategy
- Sustainability Statement
- Extended Phase 1 Habitat Survey (Ecology Report)
- Noise Survey
- Vibrations Survey

1.5 In addition to King Sturge providing planning consultancy support, the professional team also includes:-

- David Wood Architects
- RYB:Konsult
- Calford Seaden
- Durkan
- BornDigital; and
- Thomson Ecology
- Noise.co.uk

**2 SITE DESCRIPTION AND PLANNING HISTORY**

- 2.1 13 Britannia Street and 146-146A Wicklow Street is located approximately 150m east of the junction of Gray's Inn Road and Britannia Street. Kings cross train station is located approximately 350m to the north west of the site. The site is currently used as a car park and can be accessed directly from Britannia Street.
- 2.2 The area surrounding the site can be described as being primarily industrial in character. An existing 3-storey light industrial building is located to the east of the site at No. 7-11 Britannia Street. The Gagosian Gallery is housed within a 4-storey former industrial building located opposite to the site. Further industrial buildings are located beyond to the north. Wicklow Street is of a similar character with a mix of light industrial buildings and residential blocks.
- 2.3 Existing residential properties are located to the east of the site in the form of Grade II listed buildings known as Derby Lodge which comprise of a series of residential blocks with frontages located on both Britannia Street and Wicklow Street. The residential blocks are 7-stories high and are identical in design. Although the site is situated directly adjacent to Derby Lodge on its south side (Wicklow Street), Nos. 7-11 Britannia Street provides separation from the listed buildings in regard to the sites north side (Britannia Street elevation).
- 2.4 The site is also bound to the west by a London Underground cutting through which Metropolitan, Hammersmith and City and Circle line trains operate. The western extent of the site is also situated above a Network Rail Tunnel through which Thameslink Trains operate.

### 3 PLANNING HISTORY

- 3.1 Local Planning Authority history records for the site have been examined and confirm that the site has an established use as an open car park. Several planning applications have been submitted on this site including the following listed below:-

- LPA Application Reference Number: PS9904306/R2

A planning application for the erection of a part 5 storey, part 6 storey building for residential use providing 26 housing units with associated disabled parking bays and landscaping together with roof terraces on the roof and at fourth floor level was permitted by the council subject to the completion of a section 106 agreement on 12 July 2000.

This permission was subject to a number of conditions to be approved by the Council prior to the commencement of works, comprising facing materials, hard and soft landscaping, noise, vibrations, glazing, and colour. In particular condition 3 specified that *"8 cycle stands shall be provided on site prior to the occupation of the residential units, and retained in situ thereafter."*

- 3.2 A copy of the Officer's report and decision notice is appended to this Supporting Statement at **Appendix 1**.

- Application Reference Number: 2004/5483/C

An application for conservation area consent to demolish the existing 3-storey building located at 7-11 Britannia Street, London, WC1X 9JS was granted by the Council on 6 April 2005.

- Planning Reference Number: 2004/5482/P

A planning application for the demolition of the existing 3-storey office building and the erection of a new 5-storey plus basement building to accommodate a restaurant (A3 Use Class) at ground and basement floor levels with associated ventilation plant and 8 residential flats was granted by the Council subject to section 106 legal agreement on 12 October 2005.

- Planning Application Reference Number: 2005/3801/P & Planning Appeal Reference Number: APP/X5210/A/05/1197447

The adjacent site at 7-11 Britannia Street contains a 3-storey light industrial building in red brick with horizontal metal framed windows. Planning consent for a 6-storey scheme was recently granted on appeal. The appeal Inspector observed that the flank walls adjoining the car park site make very little contribution to the character of the conservation area.

#### **4 THE DEVELOPMENT PROPOSAL**

**4.1** The proposed development essentially comprises the demolition of an existing vent shaft, a small area of pier (wall) and a proportion of boundary wall located adjacent to a neighbouring listed building (Derby Lodge), to allow for the erection of a 4/5 storey residential building providing 100% affordable housing comprising the following mix:-

- 6 No. one bedroom, (two person) apartments
- 13 No. two bedroom, (three person) apartments
- 4 No. three bedroom, (six person) apartments

**4.2** The above mix would provide a total of 23 No. housing units with 67 habitable rooms and 75 bed spaces with a gross internal area of approximately 1955m<sup>2</sup>. In addition, two disabled car parking spaces, 30 No. secure cycle spaces enclosed within a cycle store, an under fives play area, and 455sq.m. of amenity space for resident use would be also proposed.

**4.3** Active frontages would be introduced to both Britannia Street and Wicklow Street. The two proposed disabled car parking spaces will be located adjacent to the site entrance on Britannia Street. The proposed under fives play area, cycle stores and main entrance to the building will be situated within the boundary of a secure courtyard featuring corrugated iron fencing and secure entrances accessible from Britannia Street and Wicklow Street.



## **5 SUMMARY OF RELEVANT PLANNING POLICY**

- 5.1 This section provides a summary of the relevant provisions in relation to residential development from national, regional and UDP policy.

### **Government Guidance**

#### **PPS1: Creating Sustainable Communities (2005)**

- 5.2 Planning Policy Statement 1 was adopted in 2005 and replaces PPG1 – General Policy and Principles. PPS supports the Government's programme of reform to the system and structures of planning and introduces new incentives to improve performance, building capabilities and establishing a forward thinking planning culture that accords with the Planning & Compulsory Purchase Act 2004.

- 5.3 Paragraph 23 advises that the Government is committed to providing a strong, stable and productive economy that aims to put jobs and prosperity for all. The planning authority should recognise that economic development can deliver environmental and social benefits and ensure that suitable locations are available for industrial, commercial, retail, public sector (housing and education), tourism and leisure development, so that the economy can prosper. In addition, planning authorities should ensure the provision of sufficient good quality new homes (including an appropriate mix of housing and adequate levels of affordable housing) in suitable locations whether through new development or the conversion of existing buildings.

- 5.4 Paragraph 27 states that planning should seek to actively bring vacant, under used and previously developed land and buildings back into beneficial use to achieve targets the Government has set for the development of previously developed land.

#### **PPG3 – Housing (2000)**

- 5.5 The main themes of PPG3 detailed in paragraphs 1-2 are to promote a more sustainable pattern of development by concentrating most additional new housing within urban areas, encouraging a mixed approach to development, and adopting a sequential approach to the allocation of land for housing.

- 5.6 Paragraphs 54-56 seek to encourage good design in order to create attractive, high quality living environments. Greater intensity of development of places with good public transport accessibility should take place in good design can assist in maximising the potential brownfield sites offered for new housing, improving the quality and attractiveness of residential areas. The guidance is clear that local planning authorities and developers should think imaginatively about designs and layouts, which make more efficient use of land without compromising the quality of the environment.

- 5.7 With regard to the sequential approach, paragraph 28-37 set out a hierarchy of options for housing development starting with the use of previously developed land or buildings within the urban area. The national target is that 60% of new housing should be provided on previously developed land.

- 5.8 Whilst paragraphs 57-58 indicates suggested density targets, these are only guidelines and no maximum threshold should apply. The guidance emphasises that local planning authorities should take a greater intensity of development above the 30-50 dwellings per hectare (dph) range for sites in locations with good accessibility to public transport, as well as in city, town, district and local centres.

Update to PPG3: Housing: Supporting the Delivery of New Housing (2005)

- 5.9 In January 2005, the then ODPM published a new paragraph, 42(a) to PPG3. This states that local planning authority's should consider favourably planning applications for housing or mixed use developments that concern land allocated for industrial or commercial uses or which consist of redundant land or buildings in industrial or commercial use, but which is no longer needed unless the following apply:

- The proposal fails to reflect other policies within the PPG and the presumption in favour of the development of brownfield sites.
- The housing development would lead to over provision of new housing.
- Development for housing would undermine regional and local strategies for economic development and regeneration.

PPS3 – Housing (April 2007)

- 5.10 The new Planning Policy Statement – 3 (PPS3) Housing was released in November 2006 and will supersede PPG3 as statutory guidance from 1 April 2007. However, the new guidance 'may be capable of being a material consideration in particular circumstances prior to that date'. LPAs' are encouraged to take a strategic role in their local area ensuring the LDD provides the correct framework for housing delivery.

- 5.11 The overarching aim of the new guidance is to ensure that everyone has the opportunity of living in a decent home, which if they can afford, in the community where they want to live. The affordability, of both open market and affordable dwellings is a consistent theme throughout the document. The 28 page document includes new definitions for previously developed land (also known as brownfield land), affordable housing, social rented housing, another category now known as intermediate affordable housing. The sustainability of new housing is defined through paras 12-19 with reference in particular to PPS1 and the Code for Sustainable Homes. PPS3 maintains the present focus that at least 60% of new homes should be built on brownfield land. LPAs' will be expected to set their own local targets to reflect available sites and support the national target.

- 5.12 Paragraph 41 – also calls for stronger environmental standards and the importance of cutting carbon emissions. The Government will shortly be reinforcing this with a PPS specifically on climate change policy.

PPG13 – Transport (1994)

- 5.13 This guidance aims to integrate planning and transport at all levels in an attempt to ensure more sustainable transport patterns and in particular reduce the need to travel by car. An assessment of the local transport infrastructure has been undertaken and is provided in transport section included in this Supporting Statement. Further



information in regard to transport can also be found in the accompanying Design and Access Statement.

PPG15 – Planning and the Historic Environment (1994)

- 5.14 PPG15 provides guidance on planning issues relating to the historic environment. Section 4 of PPG15 relates specifically to Conservation Areas. Paragraph 4.1 states:

*“Conservation Area designation introduces a general control over the demolition of unlisted buildings and provides the basis for policies designed to preserve or enhance all the aspects of character or appearance that define an area’s special interest.”*

- 5.15 Paragraph 4.9 notes that Local Planning Authorities need to develop policies which identify the reasoning behind the designation and set out the means by which that objective is to be pursued.

- 5.16 Paragraph 4.10 advises that conservation policies are fully integrated with other policies for the area and that account should also be taken of wider policies, which may affect the area’s character or appearance.

- 5.17 Paragraph 4.16 advises that;

*“the conservation of the commercial centres of the towns and villages must be a major consideration, they cannot realistically take the form of preventing all new development: the emphasis will generally need to be on controlled and positive management of change.”*

- 5.18 Of particular relevance, paragraph 4.17 states that;

*“Many conservation areas include gap sites or buildings that make no positive contribution or indeed detract from the character or appearance of the area; their replacement should be a stimulus to an imaginative high quality design and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles but that they should be designed with respect for their context as part of a larger whole which has a well established character and appearance of its own”.*

- 5.19 Paragraph 4.19 states:

*“The Courts have recently confirmed that planning conditions in respect of development proposed to be carried out in Conservation Areas must give a high priority to the objectives of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional cases the presumption may be overridden in favour of development which is desirable on grounds of some other public interest.”*

- 5.20 Paragraph 4.20 provides clarity in regard to the interpretation of 'preserve or enhance':

"As to the precise interpretation of 'preserve or enhance', the Courts upheld (*South Lakeland DC v. Secretary of State for the Environment* [1992] 2 WLR 204) that there is no requirement in legislation that Conservation Areas should be protected from all development which does not enhance or positively preserve. Whilst the character and appearance of Conservation Areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed."

#### **Spatial Development for Greater London (London Plan 2004)**

- 5.21 Strategic Development Plan policy is provided in the London Plan adopted February 2004. This Plan sets out an integrated social economic and environmental framework for the future development of London.

- 5.22 Policy 3A.1 of the Plan states that;

*"The Mayor will seek the maximum provision of additional housing in London towards achieving an output of 30,000 additional homes per year from all sources. The policy also states that housing provision up to 2006 will be monitored against a minimum target of additional homes per year, and the borough targets..."*

- 5.23 The London Plan defines affordable housing as housing designated to meet the needs of households whose incomes are not sufficient to allow them to access decent and appropriate housing in their borough. Affordable housing comprises social, intermediate housing and in some cases, low-cost market housing. The plan then goes on to state that UDP policies should ensure that new affordable housing provision seeks to meet the full spectrum of housing need.

- 5.24 The London plan refers to Camden as one of the seven boroughs which fall within the area referred to as central London. Paragraph 5.17 expresses that the sub-region could have 107,000 new homes and 239,000 new jobs by 2016 and goes on to state that these can largely be accommodated by more intensive development. The Kings Cross area is then highlighted as a 'Major Opportunities' area which has an estimated target new homes set at set of 1,250 for the period to 2016.

#### **Development Plan Policy**

- 5.25 Detailed Development Plan policy for the site is contained within the Camden Unitary Development Plan (UDP) adopted June 2006. A new planning system was introduced by the Planning and Compulsory Purchase Act 2005 which requires local planning authorities to replace UDPs with Local Development Frameworks (LDFs). In accordance with the transitional arrangements for the Act, the UDP was prepared under the procedures set out in the Town and Country Planning (Development Plans) (England) Regulations 1999. The policies in it will keep their 'development plan' status

in planning decisions for three years after adoption. During this time, the Council will bring forward new planning documents to replace the policies in this UDP.

5.26 The development site is located within an area that has been designated as the Kings Cross Conservation Area, adjacent to a Grade II Listed Building (Derby Lodge). The site is also located adjacent to a rail safeguarding area and within the line of a strategic viewing corridor. In determining the site's redevelopment potential regard therefore should be given to the following Development Plan policies:-

- Policy H1 – Housing
- Policy H2 – Affordable Housing
- Policy H7 – Lifetime Homes and wheelchair Housing
- Policy N8 – Mix of Units
- Policy C3 (B) – New Leisure Uses (Play facilities)
- Policy B1 – General Design Principals
- Policy B6 – Listed Buildings
- Policy B7 – Conservation Areas
- Policy B9 - Views
- Policy N5 – Biodiversity
- Policy T4 – Public Transport
- Policy SD2 – Planning Obligations
- Policy SD6 – Amenity for Occupiers and Neighbours
- Policy SD9 – Resources and Energy
- Policy SD12 – development and Construction Waste
- Policy N4 – Providing Public Open Space

#### **Supplementary Planning Guidance**

5.27 Since adopting the UDP, the Borough Council has published a number of Supplementary Planning Guidance notes (SPG) to provide further guidance on specific issues within the UDP. The 'Camden Planning Guidance 2006' document gives additional advice and information on how the council will apply planning policies within the Borough and is a material consideration in the determination of planning applications.

5.28 In regard to Affordable Housing the guidance looks at the proportion of affordable housing sought by the council and notes that given the highly urban nature of the Borough, most sites are developed for flats rather than freestanding dwellings. The council will therefore seek affordable housing on sites that can accommodate 15 or more dwellings of an appropriate size and mix.

**Local Development Framework**

- 5.29 In accordance with Planning & Compulsory Purchase Act 2004, the Borough Council is preparing a new Local Development Framework (LDF) which will eventually replace the UDP. As a starting point for the implementation of this new framework, the Council has prepared a draft Statement of Community Involvement (SCI) which sets out the Council's policy for involving the local community in the preparation of planning documents and end decisions on planning applications.