

Address:	Railway embankment and land west of 49 Adelaide Road London NW3 3QB	
Application Number:	2005/4431/P	Officer: Neil McDonald
Ward:	Belsize Haverstock	Case File:
Date Received: 20/10/2005 Proposal: Erection of new 2-3 storey building plus 2 basement levels, to provide new synagogue (to be relocated from Eton Villas), plus community facilities, 4 ancillary self-contained flats and basement car park, and expansion and upgrading of existing Adelaide Road public nature reserve, including erection of new split-level cabin for new educational facility and installation of associated fencing, lighting and paths. Drawing Numbers: 332_07_000 rev P1; 001 rev P1; 002 rev P1; 003 rev P1; 004 rev P1; 005 rev P1; 100 rev P1; 101 rev P1; 102 rev P1; 103 rev P1; B1 rev P1; B2 rev P1; 200 rev P1; 201 rev P1; 202 rev P1; 300 rev P1; 301 rev P1; 302 rev P1; 332_07_500 rev P2; 501 rev P2; 502 rev P2; 503 rev P2; 504 rev P2; 505 rev P2; 506 rev P2; 508 rev P2. Extended Phase 1 Habitat Survey by Middlemarch Environmental; Arboricultural Impact Assessment by CBA Trees; Statement –Greening the Building, dated October 2005.		
RECOMMENDATION SUMMARY: GRANT PLANNING PERMISSION SUBJECT TO THE SIGNING OF A SECTION 106 LEGAL AGREEMENT		
Applicant: South Hampstead Synagogue 21/22 Eton Villas London NW3 4SP		Agent: Allies & Morrison 85 Southwark Street London SE1 0HX

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	<i>Sui Generis</i>		0 m ²
Proposed	<i>D1 Non-Residential Institution (includes 94 m² educational facility for use ancillary to the nature reserve).</i>		5,506 m ²

Parking Details:

	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	16	3

OFFICERS' REPORT

This application is reported to Committee because it proposes a major development of more than 1000 sq. mtrs of non-residential floorspace [clause 3(i)] and is subject to a Section 106 legal agreement [clause 3(vi)]. The application has been advertised as a departure from the Statutory Development Plan due to the development being located on land formally identified as private open space [clause vii] and would therefore need to be referred both to the Government Office for London and the Mayor of London in the event of the Committee resolving to grant approval.

The application is a 'major development' as defined by the Office of the Deputy Prime Minister. The application therefore needs to be determined within 13 weeks from the date of submission which expires on 19th January 2006.

1. SITE

- 1.1 The site concerned is a wooded railway embankment on the south side of Adelaide Road bordering the railway tracks which skirt the north of the Primrose Hill area. The site is bounded at the western end by Blashford Tower block of flats and its attached doctor's surgery and community gardens at the corner of Primrose Hill Road. At the opposite end is the first in a row of semi-detached and terraced residential properties (Nos. 19-49 Adelaide Road, odds), which continue eastwards along this side of Adelaide Road until the intersection with Bridge Approach. The whole of the site slopes quite steeply downwards towards the back edge of the high embankment wall, which retains the railway tracks below.
- 1.2 The site is currently all within the ownership of Network Rail but is treated as two separate entities by the Camden UDP 'Environment' chapter's Open Spaces schedule which refers to sites 118 and 119. Site 118 forms the longer, thinner eastern section, which is fenced off and left as private, unmanaged woodland. Site 119 is a more compact parcel of land leased to LB Camden and managed as a nature reserve with limited access to the public by arrangement for voluntary and other organised groups only. It is less wooded than site 118 consisting more of open grass and scrubland. Both sites are known as the Adelaide Road Nature Reserve and have been designated as 'Borough Sites of Conservation Interest' by the London Ecology Unit (now subsumed within the functions of the GLA).
- 1.3 Neither the site, nor its immediate surroundings are included in any conservation area designation. However, views of the trees behind the 2-metre front boundary wall currently lend a soft and verdant setting to this stretch of Adelaide Road. The site is also extensively visible across the railway lines from the backs of properties

which front King Henry's Road, and also in public views from the eastern end of King Henry's Road which lies within the Primrose Hill Conservation Area.

- 1.4 The site falls outside of the designated Camden Town Major Centre, the north-west boundary of which would extend to 300 metres east of the site on Chalk Farm Road as proposed in the Replacement UDP. It is located approximately 250 metres west of Chalk Farm underground station and just over 1 km east of Swiss Cottage station at the opposite end of Adelaide Road.

2. THE PROPOSAL

Original application (2005/2163/P)

- 2.1 The proposed development is to provide a new building for the South Hampstead Synagogue in place of the existing synagogue at Eton Villas, which has become too small for the requirements of its expanding community.
- 2.2 The proposal comprises two elements: the **primary development** being that of the synagogue itself, to be situated over the eastern half of the strip of land designated as 'site 118' in the UDP open spaces schedule.
- 2.3 The synagogue would be a building of five levels; ground floor, first floor, recessed second floor, basement and sub-basement. It would also have an underground car-park below a garden area, adjacent the main building. In section, the above ground levels would cantilever over the lower levels to project over the railway retaining wall and above the railway track, which at this closest point to the embankment is understood to be disused.
- 2.4 The complex would not only provide an expanded place of worship, but would also serve as a centre for a range of communal activities for which there are no dedicated facilities currently provided in the existing premises at Eton Villas. Ancillary accommodation comprising the complex therefore entail a library, clubroom, computer room, meeting room, adult education and various administration offices as well as 4 residential flats at second floor level mainly for use by the rabbi and other personnel. These ancillary functions would be accommodated in one wing, to be separated by a central foyer/café and exhibition area from the synagogue and main hall, constructed as two double-height spaces one above the other and comprising the east wing of the development.
- 2.5 The total built floor-area of the synagogue would entail 5,412 sq.m. and would take up a total footprint of 2,806 sq.m. Due to part of this footprint extending over the railway cutting in the form of a cantilever, the area of existing nature reserve to be taken up would be slightly less and officers agree this would amount to around 2,010 sq.m. This developed area includes the underground car park and garden of approx 650sq.m.
- 2.6 All this will in turn facilitate the **secondary development** to include an education facility and various enhancements to an extended public access nature reserve taking in site 119 and the balance of site 118. The education facility would be in the form of a single-storey timber cabin (94sq.m.) straddling the boundary, which presently divides sites 118 and 119. It would provide a resource for schools and others to benefit from the increased publicly accessible nature reserve to be

secured by a long-lease land transfer to Camden Council. This forms one of the principal matters to be covered by the **Section 106 legal agreement** accompanying the application. The secondary works would also entail general upgrading of the remaining nature reserve including habitat enhancement, fencing and improved access to be agreed in a separate landscape plan to be submitted under the S106 agreement. The S106 would also entail a financial contribution of £55,000 to provide for the on-going running costs of the education facility.

- 2.7 The table below serves to clarify the impact on the existing public and private-access nature reserve sites (118 and 119) in terms of the land areas involved and also illustrates the gain in public-access, managed nature reserve in exchange for the area of private nature reserve lost.

Site Areas (sq.m.)

	Before Proposal	After Proposal	Net loss/gain	% loss/gain
Private access nature reserve (unmanaged) 118	4,679	2,669 (to become public)	-2,010	-43%
Public access nature reserve 119	3,245	5,914	+2,669	+82%
Total nature reserve	7,924	5,914	-2,010	-25%
Total open space	7,924	7,164 (including garden and forecourt areas)	-760	-9.6%

- 2.8 It can be seen from the above, that the total loss of nature reserve of 2,010sq.m. represents 25% of its original land area. However, it should be appreciated that not all of this is taken up by above-ground development. This developed area includes a garden of approx 650sq.m. which is above the below-ground car-park and an open forecourt to the street frontage (a further 600sq.m.), which would appear largely as open space even though not part of the remaining nature reserve. Taking this into account, therefore, the total take-up of open space would appear to be no more than 10%.

- 2.9 It should be noted that the site area figures quoted above are taken from the applicant's supporting statement which adopts a lower figure for site 119 than the equivalent figure quoted in the UDP open space site schedule. The higher figure in the UDP of 4,274 sq.m. for site 119 appears to include the Blashford Flats disused playing area, which is not part of the nature reserve. The above figures also do not take account of the proposed educational facility on the newly created area of public nature reserve which will have a floor area of 94sq.m.

Revised Application (2005/4431/P)

- 2.10 The current application was submitted in response concerns expressed by residents at a public meeting about the original application held on 20th September 2005. The only difference between this and the original is the accompanying document 'Greening the Building' which proposes a package of measures including a covering of climbing plants to be added to the rear elevation (in the manner

already proposed for the front), a green roof and additional tree planting along the building frontage. The original application (2005/2163/P) was withdrawn in favour of the new application including these additional measures.

3. RELEVANT HISTORY

- 3.1 There has been no recent planning history for this site until the submission of the current application.
- 3.2 Early 20th Century maps show that the entire south side of Adelaide Road between Primrose Hill Road and Bridge Approach was originally occupied by houses. It is believed that these were cleared after WWII bomb damage and to make way for widening of the railway.
- 3.3 The 99-year lease of the present Adelaide Road Nature Reserve on the western part of this land was assigned to LB Camden in 1964 (expires 2063). In 1999 the Council sought to negotiate for control over the remainder so that the whole could be brought together as one public nature reserve but Network Rail were unresponsive.

4. CONSULTATIONS

Statutory Consultees

- 4.1 Greater London Authority – The Mayor of London has advised that the proposal is acceptable in strategic planning terms but that additional information is required to demonstrate a commitment towards meeting the Mayor's energy and sustainability policies and the principles of inclusive design (access for disabled people). The proposed development would deliver valuable community facilities for both the Jewish community and the wider community in Camden. Provision of adequate facilities for minority groups (including faith groups) is supported by London Plan policy and assists in the creation of sustainable communities and a diverse, inclusive and considerate society. The development affects a Site of Importance for Nature Conservation but, on balance, the benefits to be secured as part of the scheme, including the establishment of new education facilities on the public nature reserve, outweigh any loss of habitat resultant. Transport for London has indicated that it wishes to see additional cycle parking for the education facility and requests further detailed information to ensure the efficient operation of bus services in the area.
- 4.2 Network Rail – No objection in principle. Concern expressed about the proposed nature ponds adjacent the railway retaining wall, which would introduce risk to both the embankment and the operational railway.

Conservation Area Advisory Committee

- 4.3 Primrose Hill CAAC – Object to the damage to the local ecology and loss of trees and green space. Making a green space accessible to humans does not make up for the loss of habitat by other living forms. The CAAC considered the revision ('Greening the Building') to be only cosmetic and do not address the extensive habitat loss by the scale of footprint of the building.

- 4.4 Eton Villas CAAC – No objection, although concern expressed about possible damage to wildlife habitat. The CAAC did not comment on the revision.

Local Groups

- 4.5 Belsize Residents Association – No response
- 4.6 Adelaide Community Gardening Club – The club, which takes on small community gardening projects in the local area, is in greater need of land than the Synagogue and would be pleased to take on the task of tree maintenance and rubbish clearing at the eastern end of the reserve. A smaller proposal could be considered instead which takes up less of the nature reserve. Questions whether the former synagogue site could be turned into an ecological garden.

Other Groups/Organisations

- 4.7 London Wildlife Trust – No response

4.8 Adjoining Occupiers

	Original (2005/2163/P)	Revised (2005/4431/P)	TOTAL
<i>Number of addresses notified</i>	180	240	240
<i>Number of responses received</i>	129	22	151
<i>Number in Support</i>	36	06	42
<i>Number of Objections</i>	93*	18	111

*** number does not include 29 signature petition enclosed with one response**

- 4.9 Publicity included site notices and an advertisement in the Ham & High. Letters of notification were sent to 180 neighbouring properties on and adjoining Adelaide Road following the receipt of the original planning application (2005/2163/P). In addition, further consultation in the form of an exhibition (on 14th and 15th September) and a public meeting on 20th September was organised by the applicant. Notifications for these events were sent more widely including residents on the south side of the railway in King Henrys Road. A total of 93 letters of objection were received and 36 in support. One of the objections enclosed a petition of a further 29 signatures from residents of Blashford flats which are located to the far western side of the site adjacent the part to be retained for the enhanced Adelaide Road Nature Reserve.
- 4.10 The revised application was advertised even more widely, including written notifications sent to properties on the north side of King Henry's Road and other additional addresses from which responses to the original had been received. The notifications advised that previous respondents need only write again if they wished to add to or retract from their previous comments in the light of the document 'greening the building'. Several previous respondents wrote in again to add to their objections and/or state that the revisions did not in any way address their concerns. In addition a further 24 new responses were received: 18 objecting and 6 in support.

4.11 The issues raised in consultation were as follows:

- Loss of trees and greenery –a ‘green lung’ in this otherwise densely built up area –harmful to views from the rear of properties backing onto the opposite side of the railway (King Henrys Road properties) as well as harming the tree-lined character of this part of Adelaide Road;
- The existing trees to be lost currently help reduce traffic noise and absorb pollution;
- Loss of a valuable wildlife habitat for numerous species (including owls and bats) in an otherwise densely built-up area. Loss of habitat cannot be replaced by education block, toilets, paths and lights –these would themselves detract from the tranquil atmosphere of the existing area;
- Overly large block (the length of about 12 large semi-detached houses) out of proportion with the existing buildings and changing the character of the road;
- ‘Prison’-like design presents an intimidating wall to Adelaide Road. Reflective hard metal and glazed surfaces with steel mesh cladding would increase its dominant and intrusive appearance;
- The elevation on the south side (rear) appears poorly designed and ugly;
- The building would spoil the views of the St Saviour’s Church spire currently seen from King Henrys Road above the trees of the nature reserve;
- The replacement of the existing brick wall to Adelaide Road with high metal fencing would be unsightly, as would the 3-storey height ‘palisade’ fencing on the south side of the site;
- Influx of large numbers of visitors bringing added pressures on the existing services and highways network in this part of Belsize Park/Primrose Hill. (At the public meeting it was noted by residents living close to the existing synagogue that there was considerable on-street parking associated with the use of the premises). There is already a lot of traffic and on-street parking in the area at weekends in connection with the Camden markets and more likely in connection with the approved Roundhouse development and this proposal will add to it;
- The requirement for a community centre and four flats to be included within the development appears unjustified;
- The proposed buildings, whilst displacing trees and habitat appear to make no effort to be environmentally friendly e.g. in terms of energy generation/sustainability;
- May affect the local water environment through harm to drainage/underground springs;

- Noise and music from weddings, barmitzvahs etc bouncing across the railway line to properties in King Henrys Road and comings and goings disturbing the surrounding area into the night;
- The building and fencing would reflect noise from the railway rather than absorb it as do the existing trees, harming the amenities of King Henrys Road;
- Radiation from signalling masts could also be reflected as well as being potentially harmful to the occupants of the building;
- Overlooking/loss of privacy across to KHR properties;
- Only of benefit to a few people (congregation of 1,800) most of whom do not live in the immediate area;
- Increased risk of terrorist attack;
- High profile security likely to be employed by the Synagogue would impinge upon the area;
- The proposed greening measures in the revised application will do nothing to reduce the impacts.

4.12 Forty-two expressions of support were received in total. Three of these were from representatives of the Jewish Faith (The Board of Deputies of British Jews, Office of the Chief Rabbi and The United Synagogue). Also included was an expression of support from The Adelaide Nature Reserve Association (ANRA), a voluntary group which helps care for the existing nature reserve. Others were from residents living both very close to the proposal and slightly further afield but still within the synagogue catchment area. These made reference to the following points:

- The development would bring vitality to the streetscene making it feel safer;
- The part of the nature reserve to be developed upon is of low value;
- The development would bring benefits to the remaining nature reserve site;
- The improved nature reserve would be of benefit to local schools.
- The proposed design of the building is high quality;
- The location is appropriate with good public transport accessibility;
- The existing synagogue is overcrowded;
- Would ease congestion in the Steeles Road/Eton Villas area around the existing Synagogue;
- The development would encourage more synagogue members to attend;

- Valuable addition of space for children's activities and education which cannot be accommodated in the existing synagogue;
- It would be a worthwhile project for an important and growing section of the North London community;

5. POLICIES

- 5.1 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.

Camden Unitary Development Plan 2000

- 5.2 RE1 - Environmental quality and regeneration (*does not comply*)
 RE2 – Residential amenity and environment (*complies*)
 RE3 - Access for all (*complies subject to further detail*)
 RE4 - Location of development (*complies*)
 RE6 – Planning obligations (*complies*)
 EN1 - General environmental protection and improvement (*complies*)
 EN5 – Noise and vibration (*complies subject to condition*)
 EN9 – Water quality (*complies subject to condition*)
 EN10 - Contaminated land (*complies subject to condition*)
 EN13 - Design of new development (*complies*)
 EN14 - Setting of new development (*complies*)
 EN15 – Landscaping (*complies subject to condition*)
 EN16 - Site layout (*complies*)
 EN18 – Design of infill development (*complies*)
 EN19 - Amenity for occupiers and neighbours (*complies*)
 EN20 – Community safety (*complies*)
 EN48 – Public and private open space (*does not comply*)
 EN56 – Sites of nature conservation importance (*complies*)
 EN61 – Tree canopy and vegetation (*does not comply*)
 TR1 – Public transport accessible development (*complies*)
 TR3 – Transport impact statements (*complies*)
 TR4 – Cumulative impact of proposals (*complies*)
 TR17 - Residential parking standards (*complies*)
 TR19 – Road safety (*complies*)
 TR21 – Pedestrians (*complies*)
 TR22 - Cycling (*complies*)
 SC1 – Retention and new provision of Class D1 uses (*complies*)
 SC2 – Location of social and community uses (*complies*)
 SC6 – Religious meeting places (*complies*)
 SC8 – Education (*complies*)
 DS6 - Noise and vibration standards (*complies subject to condition*)
 DS8 – Car parking standards (*complies*)
 DS9 - Servicing standards (*complies*)
 DS10 - Cycle parking standards (*complies*)

Supplementary Planning Guidance

- 5.3 SPG 2002:- 1.3 Sustainable development, 3.2 Community safety, 3.9 Planning contributions, 5.7 Highways, needs of pedestrians and access.

Camden Replacement Unitary Development Plan Revised Deposit Draft -May 2004

- 5.4 SD9B – Resources and Energy –water (*complies*)
SD9C – Resources and Energy -energy generation from renewables (*would comply subject to further detail*)
N2A – Development on public and private open space (*does not comply*)
N5A – Designated nature conservation sites (*complies*)
N6 – Protected species and their habitats (*complies*)
T1B - Transport Assessments (*complies*)
C1A – New community uses (*complies*)
C2 – Protecting community uses (*complies*)

Strategic and Government Policy

- 5.5 London Plan
PPS1.

6. ASSESSMENT

- 6.1 The main issue raised by this proposal is to balance the possible gains to the wider community to be afforded from the provision of a new, larger synagogue and extended, publicly accessible Adelaide Road nature reserve; balanced against the possible losses to local views and wildlife from a 100 metre section of wooded rail embankment designated as open space in the adopted UDP being developed for a 3 storey community building, and the extra pressures in terms of traffic and parking that will be brought with it. In addition, there are significant issues in connection with the building design, noise from the railway and other impacts on the general amenities of the area to be considered, together with securing a detailed S106 legal agreement in the event that the application is approved.

Land use issues and the need for the development

- 6.2 Policy SC1 states that the Council will welcome the development of new social and community uses and in specific regard to religious meeting places, SC6 states that permission will be granted provided the Council is satisfied that there is no net loss of residential land or permanent residential accommodation. The London Plan since its adoption, carries with it a further commitment to providing such facilities which must be considered. The Mayor of London supports the provision of adequate facilities for minority groups (including faith groups), which assist in the creation of sustainable communities and a diverse, inclusive and considerate society in which all can live.
- 6.3 Clearly this is not to say that other policies in the UDP will automatically be over-ruled, such as those affording protection to designated open spaces, as is relevant in this instance. The proposed synagogue building would displace 2,010sq.m. of designated open space which in itself raises a fundamental objection to this proposal. Therefore very special circumstances need to be proven, both in regard to the need for the development and the use of this particular site, before the principle of any planning permission being granted can begin to be considered.

Furthermore, in view of the potential for this development to be a major generator of travel demand, it has to be considered whether the use of the site would fit with the sequential approach set out in policy RE4 (location of development).

- 6.4 The South Hampstead Synagogue claims to have the largest congregation of any synagogue in the London Borough of Camden, currently numbering in excess of 1800 members. Most of these live within two miles of their existing site at Eton Villas and within the Borough itself. This is a significant proportion of the total 11,000 members of the Jewish Faith who reside in the Borough and who make up 5.6% of the Camden population. The existing building at Eton Villas only has a maximum seating capacity for 400 members, with no dedicated facilities for the many communal activities which need to be catered for. It has become completely inadequate for the needs of its membership, which has expanded dramatically over the last 15 years. Although planning permission was granted on appeal in 1997 for a low level extension on the forecourt area of the existing Eton Villas premises, it became apparent that a much larger extension would be required to provide for the longer term needs of the community. This could not be accommodated on this constrained site without imposing unacceptably on the amenities of existing residents and harming the character and appearance of the surrounding conservation area. This has led to the decision that the only feasible option for the Synagogue was to search for a new site.
- 6.5 Policy RE4 indicates that the first choice for locating such development will be Central London, King's Cross Opportunity Area, Major Centres, and District Centres. Applicants must assess the potential of the first choice areas before considering an edge-of-centre site such as this one. Policy SC2 is the specific locational policy for social and community uses, and requires that they be located where they are accessible to the communities they will serve. As the Synagogue caters to an orthodox community where many congregants will, for religious reasons, only travel by foot on the Sabbath, the new site must also be in walking distance (i.e. a maximum of 1 mile) from the current location. This would rule out any of the first choice locations under RE4 other than Camden Town.
- 6.6 The Synagogue states that they carried out a comprehensive search for alternative new sites in 2001 which took 6 months to complete. This was conducted with the assistance of local agents, including the Shaw Corporation, who were familiarised with the Synagogue's specific requirements. A number of potential sites were examined, but most of these did not fit the criteria either in terms of distance, or being capable of supporting the 5,000sq.m of buildings required. The only site which would have been suitable (which is within the extended Camden Town Major centre as proposed in the replacement UDP) was that to the north of the Roundhouse but the Synagogue could not afford the necessary resources to compete on the open market for this location. It was subsequently purchased by Barrett Homes for the major residential development which has now been completed.
- 6.7 Where it appears that a site cannot be found within one of the suitable areas identified by policy RE4, any likely edge of centre site should be tested against factors including its accessibility by a choice of transport and the likely effect of the development on overall travel patterns and car use. A Transport Assessment has been provided as part of the planning submission and rests to some extent upon

the proportion of trips that would be transferred from the existing synagogue some 200m away in Eton Villas, as opposed to completely new trips to the area resulting from the larger capacity of the proposed new building. Replacement UDP policy C2 has limited weight, but allows for loss of a community use where an adequate replacement is provided. Consequently, there is considered to be some justification for the travel impact of the new site to be mitigated by the existing synagogue (or other religious) use being removed by way of a Section 106 agreement, so that the site would be given over to a less travel-intensive use. However, a planning application would need to be submitted before an alternative use of the Eton Villas site could be assessed. The transport related impacts of the proposal will be examined at further length under the Transport section below.

- 6.8 The search for alternative sites has not just been limited to Camden Town Centre. Sites within predominantly residential areas may also be acceptable for community uses, provided proposals meet a local need, would not harm neighbouring amenity, would not cause or contribute to traffic problems and would not result in the loss of existing residential accommodation (Replacement UDP para. 8.10). Other sites in the area outside of the town centre have also been considered. These have included the Drama Centre at 176 Prince of Wales Road (too small at approx 1,100sqm site area); land forming part of the Haverstock School site (subsequently developed for residential to fund the school redevelopment). An investigation into the possibilities provided by the vacant site over the nearby Grade 1 listed railway tunnels in Primrose Hill Road progressed as far as preliminary proposals. However on discussing these with Network Rail and Camden Council officers it became apparent that the condition of the underground tunnels would have created unresolvable structural problems and the limited depth of the site could not provide acceptable vehicular access.
- 6.9 Whilst much of the above information is taken on good faith from the written submissions provided as part of the application, it would appear that there is a genuine need for a larger synagogue in the area in order to accommodate the scope of facilities and scale of floorspace that is currently proposed. The development would be entirely non-profit making and funded largely by charitable contributions. It can also be accepted that there is a genuine difficulty in finding suitable sites both within the preferred locations identified in policy RE4 and elsewhere. This site on Adelaide Road, being considered edge of centre would appear to meet the sequential test for location of development and, subject to transport and amenity considerations assessed below would appear an appropriate option were it not for its open space designation.
- 6.10 Since the Council is committed to providing for a range of community facilities to meet the needs of residents, it is the view of officers that it should be prepared to explore the merits of a flexible approach being taken that would allow a certain amount of this open space to be lost without sacrificing its overall benefit. With this objective in mind the merits of the second part of the proposals, i.e. the upgrade and extension of the Adelaide Road public nature reserve, balanced against the loss of the section of wooded railway embankment required for the main part of the proposal, are assessed below.

Open space issues

- 6.11 The Adopted UDP and Replacement UDP both show the privately owned open space as no. 118 and the publicly leased space as no. 119. Both spaces are identified as the Adelaide Road Nature Reserve, and are given the status of SNCIs of Borough-wide importance.
- 6.12 The primary protection for the open space is in Adopted UDP policy EN48. This states that development of open space will not be permitted except where the development is ancillary to the open space use, and the need for the use demonstrably cannot be satisfied elsewhere. This concern with alternative locations parallels the sequential approach. In any event, the proposed use is not ancillary to the open use of the land except in respect of the small educational facility proposed for the public part of the nature reserve. The proposal is in this sense a departure from the UDP, and has been advertised as such.
- 6.13 Subsidiary Adopted UDP open space policies are also relevant. Policy EN56 opposes development that would damage SNCIs, unless damage to wildlife and physical features can be prevented by condition. Policy EN61 seeks enhancement of the tree canopy, and seeks planting and landscaping to enhance the nature conservation interest of sites. This is proposed to be replaced by policy N7(C) in the Replacement UDP which seeks to protect trees making a significant contribution to the biodiversity or appearance of development sites. Replacement UDP policy N2A will be the primary level of protection for the open space in the new plan, but it is almost unchanged from EN48, and has limited weight owing to unresolved objections. Policy N5A unequivocally protects SNCIs from harm, but again has limited weight. Policy N6 protects species and habitats that are under threat, however, there are not known to be features of this kind on the application site. Policy Nnew indicates that development schemes should be assessed from a biodiversity perspective, and proposes that surveys be undertaken to identify important wildlife habitats. Such a survey would ensure that no protected species or habitats are present. Policy N6 has significant weight, but policy Nnew does not.
- 6.14 The second part of the application, in enhancing the open space that is to remain for increased habitat value seeks to address the above policies. Nevertheless, it remains that there is a clear policy presumption against loss of open space for development that is not ancillary to the open use and a grant of permission in this case would need to be justified as an exception to the primary policy EN48.
- 6.15 In assessing whether or not the enhancement and extension of the public nature reserve goes far enough to justify such an exception, it would help to first identify the existing value of this open space and its reasons for designation. Clearly, this particular space has a specific nature conservation value as it is stated in the relevant UDP designations, but there is a wider role of open land as recognised by the Council and stated in the adopted UDP para. 4.94. This is its contribution to the health, well-being and quality of life; its part played in the heritage of the urban environment; its enhancement of the quality and character of local areas; and its attraction for business and tourism. Some of these aspects are likely to be less relevant in the case of a relatively small open space such as Adelaide Road Nature Reserve, but it is clear from many of the objections to this application that there is a perception of well-being gained from it, on the part of local residents, in its provision of leafy views and a tranquil oasis in this otherwise urban area. Furthermore, para. 4.94 goes on to state what is a repeated theme in the objectors concerns: "It (open

space) also alleviates the effects of pollution, improves air quality and microclimate and has considerable ecological value”.

- 6.16 The existing site can therefore be said to derive its value as an open space from two main sources, 1) its nature conservation value; 2) its contribution to the quality and character of the area, in particular the tree-lined setting of Adelaide Road and leafy outlook from King Henrys Road.

Nature Conservation Issues

- 6.17 The applicant has gone to lengths to demonstrate that by far the most beneficial part of the site in terms of bio-diversity is the existing public nature reserve (i.e. site designation 119). This will remain as open land and furthermore, will be added to by the provision of the balance of the private nature reserve (site 118) being given over to the public to be conjoined with site 119 as a larger, improved public nature reserve which will be of even greater benefit to nature conservation interests. The secondary part of the development proposals, involving a detailed package of measures secured by a S106 legal agreement, have been formulated in close liaison with the Council's Nature Conservation Officer of the Leisure and Community Services Department. This part of the Council is responsible for the management of the existing public nature reserve and acknowledging the value of these enhancements to nature conservation, supports the proposal.
- 6.18 A habitat survey by Middlemarch Environmental Ltd has been commissioned by the applicant and confirms the private open space area to be of poor ecological quality with a dense canopy of mainly immature sycamore and laburnum species with some hawthorn, cherry and ash. Little other than ivy is able to survive at ground level. Indeed, the lack of maintenance has extended to a lack of security and although private access there is much evidence of trespass for illegal and antisocial purposes such as fly-tipping and drug taking etc. This significantly detracts from its amenity, particularly when viewed at closer range. Furthermore, the problems of trespass and vandalism are also evident in the public section of the nature reserve reducing its attractiveness. No protected species have been identified on the site, but attention would need to be paid to the recommendations of the survey regarding bats, reptiles and birds should the development proceed.
- 6.19 The designation of the whole of this site (both sites 118 and 119) as SNCI Borough Grade 1 would have taken account of the use of part as a public resource, and the variety of habitats (the pond, small areas of scrub and the grassland- rare habitats within the Borough) which are present in the public nature reserve area where the ecological value is much higher. It is the view of the Borough Nature Conservation Officer that the private nature reserve judged alone, would be unlikely to receive such a designation due to its poor ecological value and lack of accessibility.
- 6.20 The biodiversity within this space could well be improved over time given maintenance, but none or little maintenance appears to have been carried out. Network Rail have been approached at various times in the past with regard to allowing this site to be joined with the existing public nature reserve so that it can be properly maintained using public/voluntary funding, but have not been open to this option.

- 6.21 The total amount of open space to be taken up by this development, whilst extending some length along the railway embankment would leave more than half of the existing private nature reserve untouched. As a proportion of the total (private and public elements), it amounts to no more than 25% of the land (refer to the table at para. 2.7 above). The balance of the private woodland (2,669sq.m.) would become part of the public nature reserve, almost doubling its size (82% gain) from the existing. The land transfer would be secured by way of the S106 agreement accompanying the proposal, and its proper management would then be enabled with the Council as landlord.
- 6.22 Also covered by the S106 would be a landscape plan to be implemented by the synagogue developers, which would leave the space in a condition wherefrom it can continue to be managed and maintained for nature conservation. Good woodland management is proven to increase the biodiversity value of this type of habitat – better invertebrate fauna and associated bird species, increased flora diversity, increased tree species diversity and associated invertebrates. There would be an enlargement of the current pond and the creation of a second pond in the current nature reserve. This again would increase the species diversity of the site. Meanwhile the provision of improved access to the site and provision of a small community/educational facility would raise awareness and appreciation of nature for both children and adults bringing all the associated benefits of health, quality of life etc as well as enhancing the prospects for nature conservation elsewhere. The security of the site would also be improved to prevent the vandalism and antisocial practices that blight the facility at present.
- 6.23 In these ways, therefore, it is considered that the development proposals would create a net gain for biodiversity in Camden together with subsidiary gains as a public amenity, offsetting the loss of the relatively small, poorer quality area of woodland habitat. Contrary to many of the apparent concerns raised, the proposal would not result in the destruction of the nature reserve but would actually improve its conservation value compared with the existing situation.

The loss of open space

- 6.24 Paradoxically, the net benefits to be gained from the development for nature conservation would result from the loss of much of the predominantly wooded section of the site, which can be argued to contribute the most visually, to the amenities of Adelaide Road and the surrounding area.
- 6.25 Whilst relatively small in area, the open space that would be lost to the synagogue development appears expansive due to its elongated shape and the density of the tree cover upon it –far more dense than the tree cover on the existing public nature reserve. Few of the trees on this part of the site would merit protection in themselves as the unmanaged state of the site and dense profusion of self-seeded growth has slowed the progress of individual specimens to maturity. Even the two larger sized trees just outside of the site on the boundary with No. 49 Adelaide Road are not considered by the Council's Landscape officers to make a substantial enough contribution to be worthy of a preservation order. However, seen as a whole, and with summer foliage, the overall impression is of a dense and verdant screen to the equivalent height of the adjacent row of semi-detached villas. The development would remove approximately half the length of this tree cover to the

Adelaide Road frontage, significantly diminishing its existing tree-lined character at this point. Similarly, there would be an impact on views from King Henry's Road, including the background setting to some street-scene views within the Primrose Hill Conservation Area. Although the impact upon King Henry's Road from the loss of these trees is ameliorated by distance, there would still be a substantial erosion in the greenness of views from the rear of properties fronting the north side of King Henry's Road. This would signify a real loss as such views are clearly considered by many of these residents to be a compensating factor for their proximity to the railway.

- 6.26 It must be recognised that such arguments against development can be made for any vacant site of significant size, which has become neglected and overgrown over a period of time. Such sites may have attained a comparable level of habitat value for wildlife and support trees of no less amenity value, yet the argument is not substantive enough to justify refusal of the development. However the key point in this case is that the contribution to the quality of the environment has been acknowledged through the development plan process and reflected in a safeguarding designation in the adopted UDP. For this reason, development on part of this site is not an inevitability; neither can it necessarily be argued as being the only means by which the improved biodiversity of the whole can take place in the future. In contrast, the open space lost would be a permanent situation, unlikely to be replaced.
- 6.27 Given that the gains for nature conservation and increased public access, whilst substantive in themselves, do little to compensate directly for the perceived loss of visual amenity resulting from the reduction of this wooded strip, the case for the development has to be considered a finely balanced matter.
- 6.28 However, the extensive lengths to which the applicant has gone to limit the extent of impact of the proposed buildings on the existing open space have to be appreciated. Much of the 5,412sq.m. floorspace is accommodated either below ground level, or cantilevered above the railway so as not to encroach on existing open space. Even much of the developed area is to take the form of open space at ground level, this being either in the form of the garden at the western end of the development, or the setting back of the above ground development to observe the existing building-line of Adelaide Road and allow for replacement tree planting. This achieves a situation whereby the above-ground built development takes up no more than 10% of the total area of designated public and private open space (see table at para. 2.7 above). Meanwhile the above ground open spaces of the development enable opportunities for replacement tree planting and other landscaping to restore a green appearance to the site as a whole. Furthermore, the above ground development itself is proposed to be softened by a planted covering of climbers to the front and rear elevations, along with a green roof.
- 6.29 These are all mitigating factors which must be taken into account in the final balance. The planting measures on and around the building are set out in the document 'Greening the Building' submitted with the current application. This shows 12 trees planted at 7.5m intervals along the building frontage, which is an improvement on the 5 trees indicated on the original drawings. Further trees and other more informal planting would occupy the garden, fuller details of which would be required by way of an approval of details condition. In this way it is considered

that a more or less continuous tree canopy could be established in front of and beside the above-ground development in a fairly short period of time to restore the tree-lined character of the street scene at this point. The final details of this tree planting should however still form the subject of a condition for prior approval to ensure that any potential conflict with the safe movement of vehicles entering and exiting the site is avoided.

- 6.30 Therefore, considering the net gains to the existing nature reserve in terms of biodiversity and public access, together with the scope to mitigate, albeit only in part, the reduction in the leafy character of the area, it is evident that the development goes to exceptional lengths to address what would normally be considered an unacceptable loss of public open space.

Transport and Servicing

Traffic and parking generation

- 6.31 A transport assessment has been submitted with this application.
- 6.32 Since the proposal is to replace the existing synagogue some 200m to the north, a large proportion of the trips generated by the new development would have been attracted to the area anyway. Nevertheless, the scheme would create a 25% increase in synagogue capacity building up gradually during the first years of opening. Therefore the increase in potential trips will need to be offset by an overall improvement in mode split towards more sustainable transport (non-car trips) so that the overall transport impact is neutral or an improvement on the existing situation. An institutional travel plan would be required, which the applicant has agreed to enter into, in principle, as part of a S106 agreement should the application be approved. The effect of such a travel plan would be to promote public transport, walking and cycle options offsetting any potential cumulative transport impact as the intensity of use from the increased capacity rises.
- 6.33 In order to avoid any unanticipated significant additional traffic impact on the area it would be necessary to ensure that the reuse of the existing synagogue does not occur in a way that would clash with the proposed. This could be safeguarded by a clause in the S106 agreement preventing the reuse of the vacated building for social or community use, which the applicant has, again, agreed to in principle.
- 6.34 The communal uses accompanying the synagogue are anticipated to be less intensive in terms of trip generation than the synagogue itself. The times of operation for the majority of these will occur outside of the peak traffic hours and also outside of the hours of operation of controlled parking bays and yellow line restrictions. The communal uses would also be covered by the travel plan, which would further limit their impact.
- 6.35 Compared with the existing location in Eton Villas, it is considered that Adelaide Road is better equipped to deal with the numbers of visitors currently associated with the services and other activities there. There are fewer residents' bays but more single yellow lines which may be used by visitors outside of controlled hours and likely to be free for road-side 'dropping off and picking up' when controlled hours are in force. Although there is no particular reason for coach access to be

anticipated, the proposed site is far more suitable should it occur given the availability of single yellow lines in the vicinity and the ease of access that Adelaide Road provides for larger vehicles. The highways works proposed below will allow space for drop off and pickup from the street using a coach without obstruction to traffic flow.

Highway works

- 6.36 Highway works would be required to facilitate the development, which would again be secured via a S106 agreement. These would include rearrangement of crossovers; relocation of on-street parking including costs of changes to the Traffic Management Order and associated consultation; relocation of informal crossing in front of the Synagogue entrance; and repaving of the footway in front of the site to Boulevard Standard.

Car parking and cycling

- 6.37 Currently, 15 spaces are proposed as part of the development. The UDP standard for D1 institutions would allow 1 space per 600-1000m². That is between 4 and 6 spaces are acceptable. For such a use, at least 3 disabled parking spaces should be provided. These should be designed and marked out as such and be closest to the entrance to the building. For the residential component, up to 1 carpark per flat is acceptable. That is a maximum of 4 further spaces allowed making a total of 13 permissible parking spaces for the development.
- 6.38 Given the lack of turning area within the carpark, it would be advisable to secure the removal of the 2 spaces closest to the cycle parking racks and replace these with a “no parking”/ yellow box (or equivalent) to ensure an area in which vehicles could turn around, when the car park is full thus preventing gridlock within the access road and car park. This could be achieved by condition.
- 6.39 Further ‘drop-off’ parking spaces are indicated at street level for short-term waiting. The travel plan attached to this development will include management measures by which the longer term parking use of these will be discouraged.
- 6.40 The submitted plans indicate provision of 22 cycle stands in the basement and 8 on the eastern boundary, totalling 30 cycle stands, capable of accommodating 60 bicycles. With major celebrations at the existing synagogue attracting between 400-700 people, these 60 cycle parking spaces represent capacity for a 10% mode share, in line with Council targets. This is therefore an acceptable level of cycle parking and should be conditioned such that it is provided and maintained in perpetuity.

Pedestrians, traffic and road safety

- 6.41 A dedicated vehicle entrance, separate pedestrian entrance and a dedicated vehicle exit point from the site, as proposed, provide a good system of pedestrian and vehicle movement into and out of the site. The 2 vehicle access points from the street would need to be signposted as “IN” and “OUT” (or similar) by condition. This is required, particularly as the vehicle exit has been designed with a “permeable” fence (rather than solid wall) allowing acceptable visibility of the footway and of

approaching vehicles, whereas the vehicle entrance is partially obstructed by a solid wall – acceptable as a vehicle entrance point, but not for exiting.

- 6.42 The pedestrian entrance as currently proposed leads across the internal vehicle access road by way of a paved surface indicating pedestrian priority – detailed design of this roadway and all hard and soft landscaping should be reserved for condition, including detailed layout of trees and short term parking area to ensure adequate space and minimal conflict between pedestrians and vehicles. Nevertheless the space provided is considered workable subject to detailed design.
- 6.43 Outside of the boundary fence the pedestrian entrance leads onto an informal crossing point with kerb build-outs and a traffic island. This will need to be slightly altered in light of the crossovers to be built servicing the site and rearrangement of on-street parking, preferably to the opposite side of Adelaide Rd to ensure the continued free-flow of this important bus route. This would mean the build-outs and crossing point would need to be rebuilt. Furthermore, in order to create the crossovers and repair footway damage (where deep basements will be excavated adjacent to the footway), the frontage of the site would need to be repaved to Boulevard Standard. All of the above works would have to form part of the highways works package to be secured by s106 in the event that any approval of the application were granted. Details of the retaining wall adjacent to the public footway on the southern side of Adelaide Rd should be required by way of condition.

Facilities for goods movement and servicing

- 6.44 Capacity is provided in the front service road for regular courier type deliveries and all small scale drop off servicing. The refuse bin store is located near the car park entrance and could be accessed easily from the street, subject to some rearrangement of car parking as above to provide some on-street loading space.
- 6.45 It appears that a fire truck would have trouble entering the site, however unless fire regulations state otherwise, the proximity of the building to the street and the 3 pedestrian/vehicle entrances from the street would provide sufficient permeability from the street to the building to allow fire personnel access to the site and building.
- 6.46 Therefore, subject to conditions and a S106 agreement securing highway works; a travel plan; and limiting the future use of the existing synagogue, it is considered that the transport provisions and related impacts of the scheme would be acceptable.

Design

- 6.47 The site is not within a conservation area and does not adjoin any listed buildings. Eton Conservation Area is situated a short distance to the north of the site. The portals to the Primrose Hill Tunnels are listed structures, but are situated at the opposite end of the site approximately 215 metres from the proposed development.
- 6.48 Early 20th Century Land Registry plans indicate that the entire southern side of Adelaide Road from Bridge Road to Primrose Hill Road was originally characterised by detached and semi-detached houses. Of these however, only a handful remain

– a short string of impressive four-storey houses, paired as villas, in white render and London stock brickwork, which run from the corner of Bridge Road to the eastern end of the site.

- 6.49 The proposed building would be constructed over a large, ground floor deck, which cantilevers over the disused railway track, to produce sufficient space on what is otherwise a steep and narrow bank. The proposal would over-sail the two railway tracks to the south of the site – one of which is redundant and the other is at present, only in occasional use. The applicant's discussions with Network Rail, have ascertained that building the synagogue on the railway embankment and in the railway airspace as indicated, is feasible.
- 6.50 Although an overtly horizontal form, the fundamental principles (building line, height, rhythm/massing) of the proposed design, have taken their cue from the most closely aligned neighbours, the existing villas to the east. The new synagogue and community centre building are set back from the road, to respect the building line established by the adjacent villas. This arrangement allows for a parallel driveway to run between the road and the building, which will assist in minimising any disruption to traffic along Adelaide Road.
- 6.51 The building is set away from the last villa, in proportion to the spacing between each villa, with its eaves level matching the cornice line at the villa's second floor level. Resulting in the overall height of the new building, being subservient to, rather than dominant, over the existing villas – an attribute which appropriately assimilates the proposal into its immediate context. Similarly, window openings at this end of the site are also of a proportion sympathetic with those of the existing villas. The extension of this new eaves line along the length of the site will assist in reinstating a street edge. In this regard, it is considered that the proposal appropriately respects and takes cues from the adjacent villas, satisfying the intents of EN14, EN16 and EN18.
- 6.52 In addition the proposal seeks to allow the continuation of the landscape by including new tree planting along the entire frontage of the building, as well as encouraging climbers to colonise the face of the building. It is considered that this attribute would compliment the overall design of the building as well as create some continuity of greenery extending from the retained nature reserve at the western end of the site.
- 6.53 Essentially, the building is expressed as a single and united whole, within which the key elements of its organisation are arranged. The building is essentially 'wrapped' in a lightweight and perforate metal mesh screen, which forms a complete enclosure to the activities within and acts as a form of trellis for external planting – the screen provides both a continuation of the street as well as the landscape.
- 6.54 In terms of the Adelaide Road frontage, the proposal is cut into and opened up, not only at the point of entry, with its canopy feature and open terrace above, but also in the facade reveals which allow glimpses into the synagogue space from the street. The central entrance foyer will be an animated space connecting all levels of the scheme, in turn uniting the building with the street scene – a welcomed, activated edge. Similarly, the proposed front boundary treatment is perforated to encourage openness and accessibility, particularly opposite the entrance.

- 6.55 Community centre activities are further exposed and made explicit, by folding out of the screen into a series of vertical fins, whilst a large 2-storey opening allows the building to engage with the landscape at its eastern end. Rising above the screen are a series of glassy 'lanterns', which either bring light into the top of the synagogue space or fragment to give a more domestic scale to the residential units at second floor level. Collectively, each of these features assist in reinstating an inherent sense of verticality, akin to the rhythm established by the existing villas to the east. At night the solids and voids behind the mesh enclosure will be revealed, subtly animating the street scene.
- 6.56 To the rear, the elevation is largely cantilevered over the disused railway track. It offers both protection to and screening of the railway track, with a cantilevered walkway allowing safe maintenance of the facade without necessitating disturbance to Network Rail operations. Whilst glazed openings are smaller on this elevation, it is considered that the building undergoes a subtle transformation, revealing its layers, maintaining a degree of visual interest from the rail corridor. The rear elevation is to be softened in a similar way to that at the front, with a covering of climbing vegetation grown in irrigated planters on the walkway.
- 6.57 In terms of the scheme's proximity to the public nature reserve to the west of the site, the proposal provides an appropriate distribution of un-built space, by virtue of the garden platform – engendering an effective visual break, or transition zone, between the built elements and the open nature reserve.

Education facility

- 6.58 The proposed education facilities/visitor centre will be grouped together into a new, low-rise single storey building, constructed in timber, including a terrace. Improvements to the habitats include the creation of a new wetland area with ponds, dipping platforms and boardwalks. Management of the woodland will include glade areas, dead wood habitats and the extension of the meadow habitat.
- 6.59 A new and extensive network of paths and steps will be created around the site, together with new access gates and new, fully secure fencing, monitored by new CCTV cameras strategically placed around the site.
- 6.60 It is considered that this component of the scheme is appropriate and acceptable in design and landscape terms, although detailed landscape plans and tree protection method statement adjacent to the proposed building would be required for further approval.

Materials

- 6.61 A contemporary materials palette is proposed, primarily consisting of metal cladding, glass, pre-oxidised steel mesh, engineering brick and fair-faced concrete. All these would require detailed approval with samples submitted.
- 6.62 On the above basis, it is considered that the proposed buildings would offer an innovative and appropriately contemporary response to the context of the site were the principle of development on this open space to be agreed.

Other Impacts on Neighbours

- 6.63 Other than that arising from the loss of open space involved, there is not considered to be any significant impacts on the amenities of adjacent or nearby residential occupiers.
- 6.64 Issues have been raised in consultation about possible noise being reflected from the railway onto the properties opposite on King Henrys Road. Although no noise impact report has been supplied by the applicant to address this point, the Council's Noise Pollution officers are of the view that the distance/height ratio of the proposal in relation to the King Henrys Road properties is unlikely to give rise to significant problems such as would warrant any special measures to be incorporated.
- 6.65 Noise emitting from the building itself would not be an issue as it would be extensively sound proofed for its own protection as regards the adjacent railway.

Sustainability and other issues

- 6.66 A sustainability statement accompanies the application outlining the architect's concept of providing energy-efficient buildings using recyclable/recycled materials. The aim would be to achieve an excellent BREEAM rating. Although not submitted at the time of writing this report it is understood that the applicant has also commissioned a renewable energy statement to satisfy the Mayor's requirement for developments of this scale to achieve a targeted 10% of its energy needs from renewables. This is also a requirement of the Revised Deposit Draft Replacement UDP, policy SD9C, which has moderate weight and therefore refusal of permission would need to be considered if this statement were not to satisfactorily address the relevant matters. If the Council were to agree the principle of such a statement, then its recommendations should be secured by an additional clause to the S106 statement, subject to it being found acceptable by the Mayor.
- 6.67 Similarly, an access statement is also awaited to meet with the Mayor's current requirements on the issue of accessibility of developments for people with disabilities.
- 6.68 The developed site would build over an area of natural drainage and as such could adversely contribute to local flooding by increased storm-water runoff. However the inclusion of a green roof would partially mitigate the cumulative effects of this on the local drainage system absorbing a minimum of 40% of average rainfall and enabling the remaining 60% to drain off at a slower rate. It would be possible for much of this excess to be stored on site for irrigating the trees and climbing plants and some storm water to be directed to soakaways in the adjacent nature reserve to further reduce the impact on local drainage. These additional details could form part of a sustainable urban drainage system to be agreed via an approval of details condition in the event of any grant of approval.
- 6.69 A noise and vibration strategy to protect the building from the adjacent railway has accompanied the application. A condition would be required to ensure this is implemented.

- 6.70 Finally, since former uses of the site and adjacent land could have led to contamination a site investigation and report of any remediation measures would be necessary, to be submitted **prior** to any construction works commencing on site.

7. CONCLUSION

- 7.1 The respective cases for and against the development are finely balanced. There is on one hand a loss of part of a designated private open space, which has acknowledged nature conservation value as well as providing a much appreciated visual amenity in this otherwise urban area. On the other, there is a gain of new community facilities and a place of worship totalling around 5,500sq.m. There is no readily foreseeable option for the provision of these facilities elsewhere, yet there is a cultural need for them by a significant section of Camden's community as well as contributing to the richness and diversity of the Borough as a whole.
- 7.2 In addition to the benefits from the main development the applicant has sought to further compensate for the loss of open space by enhancing the existing public open space and nature reserve by improving its habitat, providing increased access and educational facilities and extending its area by dedicating the balance (some 57%) of the un-built private open space to the public. It is therefore recognised that there are clear additional gains to the community in the form of public access, nature conservation and education to be achieved.
- 7.3 It is also recognised that the existing open space provides benefits to the community which go beyond public accessibility and nature conservation, as is clearly borne out by objections from many surrounding residents. Its value in contributing to the health, well-being and quality of life for those who live in this area is derived from a wide range of factors, and clearly the leafy views and sense of openness they give to the surrounding townscape are of great significance. Whilst it is fair to note that the greater portion of the overall nature reserve would remain outwardly unaltered by the development, the swathe of trees which makes perhaps the most valuable contribution visually, would be substantially reduced. It is difficult to argue that the replacement of these with a building of the large scale proposed, and the resultant impact on the tree-lined character of Adelaide Road and leafy outlook from properties on King Henrys Road, can be directly compensated. However, it cannot be denied that the development goes to great lengths to mitigate this impact, even beyond the compensatory benefits of new community facilities and gains for nature conservation. This is evident both in the form of the development, placing much of the floorspace underground or over the railway, and in the greening measures of replacement tree planting and climbing plant screen.
- 7.4 Combining the above with an innovative, high quality and environmentally sustainable design of building, it can be considered that these proposals would bring a range of advantages that would be seen as exceptional in the context of any normal application.
- 7.5 Officers have also considered the important issue of potentially increased traffic and parking generation in the area along with other impacts on the amenities of neighbours. It is considered that in all these respects the proposals could be

accepted subject to conditions and/or the signing of the Section 106 agreement accompanying the application.

- 7.6 Therefore, it is considered by officers that the wider benefits for the community and nature conservation, together with the extent of mitigation of the local impacts, in this case can justify a departure from the usual presumption against development on designated open space. For the above reasons it is the on-balance recommendation of this report that permission should be granted.

8. LEGAL COMMENTS

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

SECTION 106 HEADS OF TERMS

- 8.2 A legal agreement should be attached to any permission granted covering the following items:

- Payment of contributions to L.B. Camden (£55,000) for the running of the educational facility, the nature reserve, planting and landscape work;
- Payment of contributions to L.B. Camden (£115,417) for necessary highway works and reconstruction of the footway;
- Submission of an educational facility plan to secure construction fitting and transfer of the facility to the Council;
- Submission and undertaking of a green travel plan;
- Submission of a nature reserve plan to secure the carrying out of landscaping works;
- Submission of a nature reserve security management plan to assist in the security of the nature reserve;
- Not to occupy the main development until the educational facility/nature reserve aspects have been satisfactorily carried out and the nature reserve extension has been transferred to the Council;
- Occupation of the residential units ancillary to the synagogue only;
- Existing Synagogue site not to be used for a place of worship or any other D1 uses save with the Council's written consent;
- The development to be completed in accordance with the recommendations set out in the Renewable Energy Statement and Access Statement.

- 9. RECOMMENDATION 1: That subject to the Council not being directed to refuse the application following referral to the Mayor, to Grant planning**

permission with conditions and an associated S106 legal agreement as summarised above.

10. **RECOMMENDATION 2:** That in the event of the S106 referred to in Recommendation 1 has not been completed, or a Renewable Energy Statement and Access Statement have not been submitted to the satisfaction of officers and the GLA in a sufficient period of time to enable determination within 13 weeks of the date of complete submission of the application, the Head of Development Control be authorised to refuse the application for the following reasons:
- 1. *The proposed development, in the absence of a legal agreement securing the secondary development of an education facility (including financial contribution to running costs), nature reserve enhancements and security management plan, would be further unacceptable due to the uncompensated loss of open space resulting from the main development and net loss to nature conservation in the Borough. This would be contrary to policies EN1 (General environmental protection and improvement), EN48 (Public and private open space) EN56 (Sites of nature conservation importance) and EN61 (Tree canopy and vegetation) of the London Borough of Camden Unitary Development Plan 2000.***
 - 2. *The proposed development, in the absence of a legal agreement securing a travel plan, would be likely to give rise to significantly increased car-borne trips contributing to parking and traffic congestion in the immediate area contrary to TR3 (Travel plans) and TR4 (Cumulative impact of proposals) of the London Borough of Camden Unitary Development Plan 2000.***
 - 3. *The proposed development, in the absence of a legal agreement preventing the use of the existing Synagogue for social and community purposes would give rise to a significant risk of the two institutions being used simultaneously giving rise to unacceptable cumulative transport impacts on the area contrary to TR4 (Cumulative impact of proposals) of the London Borough of Camden Unitary Development Plan 2000.***
 - 4. *The proposed development, in the absence of a legal agreement securing a contribution for necessary highway works, would fail to provide for adequate access and safety of pedestrians contrary to policies RE6 (Planning obligations), TR19 (Road safety), TR20 (Traffic management), TR21 (Pedestrians) and TR23 (Movement of goods: facilities and amenities) of the London Borough of Camden Unitary Development Plan 2000 and Section 3.10 (Works to public highway) of the London Borough of Camden Supplementary Planning Guidance 2002.***

- 5. The proposed inclusion of four residential flats, in the absence of a legal agreement tying their occupation to ancillary purposes only, would be considered an unjustified additional development on this open space contrary to policy EN48 (Public and private open space) of the London Borough of Camden Unitary Development Plan 2000.***
- 6. The proposed development, in the absence of a satisfactory statement addressing the need to generate a proportion of the site's electricity and heating needs from renewables wherever feasible would be contrary to policy SD9C (Use of energy and resources) of the Camden Replacement Unitary Development Plan Revised Deposit Draft -May 2004 and the 2004 London Plan.***
- 7. The proposed development, in the absence of a satisfactory statement to address the access needs of disabled people to the development would be contrary to policy RE3 (Access for all) of the London Borough of Camden Unitary Development Plan 2000 and the 2004 London Plan.***

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