

Address:	100 Park Village East London NW1 3SR	
Application Number:	2006/2878/P	Officer: Adrian Malcolm
Ward:	Regents Park	Case File:
Date Received: 21/06/2006		
Proposal: Demolition of the existing offices (Class B1) and redevelopment with a five-storey to nine-storey building comprising 41 self-contained flats (Class C3). Drawing Numbers:		
Site Location Plan 05915/P/001; 05915/P/010; 05915/P/011; 05915/P/012; 05915/P/013; 05915/P/014; 05915/P/015; 05915/P/016; 05915/P/017; 05915/P/018; 05915/P/019; 05915/P/020; 05915/P/021; 05915/P/022; 05915/P/023; 05915/P/024; 05915/P/025; 05915/P/026; Strategic View Assessment; Design Statement		
RECOMMENDATION SUMMARY: Refuse Planning Permission		
Applicant:	Agent:	
Notting Hill Housing Group	Yurky Cross Chartered Architects	
27 Hammersmith Grove	167A York Way	
London	London	
W6 OJL	N7 9LN	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	B1a Business - Office		2,460m ²
Proposed	C3 Dwelling House		3,224m ²

[illegible]

Existing	<i>Flat/Maisonette</i>	0	0	0	0	0	0	0	0	0
Proposed	<i>Flat/Maisonette</i>	0	26	11	2	2	0	0	0	0

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

OFFICERS' REPORT

Reason for Referral to Committee:

The application is a major development that has attracted a significant number of representations.

1. SITE

- 1.1 The application property is a five-storey office building that covers virtually the entire triangular site that is positioned directly west of the junction of Park Village East, Granby Terrace and Stanhope St. The site does not fall in a conservation area, though the Regent's Park Conservation Area lies 160m to the west and 210m to the north at its closest points. The rear gardens of residential properties in Mornington Crescent in the Camden Town Conservation Area also lie nearly 120m to the northeast on the opposite side of the sunken railway (the main line into Euston).
- 1.2 The Regent's Park Estate dominates the immediate environs around the application site. The estate is local authority housing dating from the 1950s. The blocks of the estate are generally large linear forms, of 8-9 storeys in height, and finished in render or brick. The blocks of the estate are interspersed by outdoor green spaces and playgrounds.
- 1.3 To the northeast of the application site, along Park Village East, are various buildings from the mid-twentieth century. These are generally 3-4 storeys, with facing materials including brick and white stucco. Further north are the Grade II* Listed villas designed by Nash. A single storey railway carriage shed stands directly on the opposite side of Park Village East, to the north of the road junction. On the other side of the railway lines to the east are the three 21 storey towers of the Amphil Square Estate.
- 1.4 Immediately abutting the application site to the south is a playground containing a sloping ball court, beyond which is Augustus House. This block is part of the Regent's Park Estate, 8 storeys tall and finished in render. Immediately abutting the application site to the west is Tintern House. This brick residential building is four storeys and separated at its narrowest point from the application site by 3m. It lies

on the Crown Estate which lies to the west of the site and typically has buildings of 4-6 stories.

2. THE PROPOSAL

Original

- 2.1 The proposal has not been revised since submission, however it does follow the refusal of a proposal that was refused in March this year (see history).
- 2.2 The current proposal is for a building that rises to a maximum of 9 stories. The footprint is basically arranged in a 'V' shape along the north-eastern (Park Village East) and southern (ball court) boundaries of the site with garden space to the ground floor flats at the rear.
- 2.2 On the Park Village East frontage, the building would have a tower of 9 stories (up to 29m in height) at the southern end with rendering (colour to be agreed) plus a wide block containing windows and 2 types of cladding panel (colour to be agreed). The ground floor of the tower would be brick with a glazed entrance to the building plus storage/ancillary facilities. The wider northern part of this elevation would be brick to the lower 2 stories and would include another major entrance to the building, plus the front door to a family-sized flat and two balconies. Two stories with a white rendered finish (including a single storey and two storey projecting bay) would stand above a narrow 3rd storey finish of cladding. The sixth to ninth stories would step back on each floor from the northern end of the building, though not from the Park Village East frontage. Three of these stories would have cladding panels between glazing and wide bands of white render, including a total of three small balconies on two of the floors. The top floor is shown as having a different treatment, being largely glazed with a narrow clad parapet (0.6m below the height of the tower element).
- 2.3 The other wing of the building would step broadly in a westerly direction towards the neighbouring Tintern House from nine stories to six and then five stories. The finishes would follow the same basic structure as on a Park Village East frontage, though no balconies are proposed at the rear but three columns of balconies are proposed to each of the upper floors on the south elevation.
- 2.4 No off-street car parking is proposed, though a cycle store is shown on the ground floor.
- 2.5 The proposed accommodation is as follows:

Affordable social rented:	12 units (comprising 8 x 2-bedroom, 2 x 3-bedroom, 2 x 4-bedroom) = 39.6% area.
Affordable shared ownership:	6 units (comprising 6 x 1-bedroom) = 12% area.
Non-affordable shared ownership/private sale:	

23 units (comprising 20 x 1-bedroom, 3 x 2-bedroom) = 48.4% area.

- 2.6 This application has been submitted following an earlier application that was refused in March this year (see history). The scheme has been reduced from ten to nine stories (the maximum height has dropped by 2-3m); a unit has been removed from the ground floor as a result of changes needed to meet the Council's new renewable energy requirements; the overall mix remains the same though one less social rented unit is proposed (a one bedroom unit that effectively passes to a private sale/non-low equity shared ownership unit); the proportion of affordable floorspace has marginally dropped (by 1%); the stepping of the building has been widened on the upper floors (5th and 6th stories on the rear wing, 6th to 9th storey on the main frontage) such that there is only a loss of 7sqm from the previous scheme. The elevations have been redesigned notably with the treatment of the tower element, the introduction of more rendering on the fourth and fifth stories, rendered and clad bands from the sixth-eighth stories and a new treatment to the top storey. The fenestration and balconies/terraces have also been changed.

3. RELEVANT HISTORY

- 3.1 On 20 March 2006, the Council refused planning permission an application for this site for the demolition of the existing offices and the construction of a five-storey to ten-storey building comprising 41 self-contained flats. The refusal reasons were as follows:
1. The proposed development by reason of its height and bulk would be an overly dominant feature to the detriment of the streetscene, the character and appearance of the Regent's Park Conservation Area and strategic views from Parliament Hill to the Palace of Westminster and from Primrose Hill to St Paul's Cathedral contrary to policies EN1, EN13, EN14, EN37, EN43, and EN44 of the Adopted Camden Unitary Development Plan (UDP) 2000 and policies B1, B7 and B9 of the Revised Deposit Draft Camden UDP, as amended by the proposed modifications agreed by the Council's Executive on 11 January 2006.
 2. The proposed development by reason of its external appearance, detailed design and materials would be detrimental to the streetscene contrary to policies EN1, EN13, EN14 and EN37 of the Adopted Camden UDP 2000 and policies B1 and B7 of the Revised Deposit Draft Camden UDP, as amended by the proposed modifications agreed by the Council's Executive on 11 January 2006.
 3. The proposed development, in the absence of a legal agreement for car-capped housing and a residential travel plan, would be likely to contribute to parking stress and congestion in the surrounding area to the detriment of highway and pedestrian safety, contrary to policies TR4, TR17 and RE6 of the Adopted Camden UDP and policies SD2, T1, T7, T8 and T9 of the Revised Deposit Draft Camden UDP, as amended by the proposed modifications agreed by the Council's Executive on 11 January 2006.
 4. The proposed development, in the absence of a legal agreement securing highway improvements, would be detrimental to highway and pedestrian

safety, contrary to policies RE6, TR19, TR20 and TR21 of the Adopted Camden UDP, section 3.10 (works to public highways) of the Camden Supplementary Planning Guidance 2002 and policies SD2, T3 and T12 of the Revised Deposit Draft Camden UDP, as amended by the proposed modifications agreed by the Council's Executive on 11 January 2006.

5. The proposed development, in the absence of a legal agreement for securing educational contributions, would be likely to make an unacceptable increase in pressure and demand on the Borough's education provision, contrary to policies RE6 of the Adopted Camden UDP, section 3.13 (educational contributions from residential developments) of the Camden Supplementary Planning Guidance 2002 and policy SD2 of the Revised Deposit Draft Camden UDP, as amended by the proposed modifications agreed by the Council's Executive on 11 January 2006.
6. The proposed development, in the absence of a legal agreement securing affordable housing, would fail to secure an adequate provision of affordable housing, contrary to policy RE6, of the Adopted Camden UDP, policy H11 of the Camden UDP Alteration No.2 2004, section 3.3 (affordable housing) of the Camden Supplementary Planning Guidance 2002 and policies SD2 and H2 of the Revised Deposit Draft Camden UDP, as amended by the proposed modifications agreed by the Council's Executive on 11 January 2006.

4. CONSULTATIONS

External Consultees

- 4.1 City of Westminster: OBJECT. The building would harm the Parliament Hill to Palace of Westminster Strategic View, as it would encroach above the prescribed development plane.
- 4.2 City of London: NO OBJECTION. Proposal would fall below the development plane of the Primrose Hill to St Paul's Cathedral Strategic View, though advise that less prominent colours should be used to the building.
- 4.3 London Borough of Lambeth: NO OBJECTION.
- 4.4 Greater London Authority: No formal comments received to date. It should be noted that the Mayor of London has the power to direct refusal on this application, should he see fit to do so.
- 4.5 Metropolitan Police (Crime Prevention Office): NO OBJECTION. Anticipate proposal could qualify for Secured by Design status, subject to confirmation of minor details e.g. door and window details, door entry system, utilities access arrangements etc
- 4.6 Camden PCT: Request consideration be given to a health contribution.

Conservation Area Advisory Committee

- 4.2 Regent's Park CAAC: OBJECT. Maintain previous objection on grounds of height, bulk and lack of design coherence. Design poor and inadequate for its location,

even though housing badly needed. Massing lacks coherence, volumes poorly articulated and materials almost randomly used. Materials do not successfully relate to nearby buildings and building would be insensitive to scale and character of Park Village East. Concerned balconies could be used as dumping grounds and no consideration given to landscaping. Sustainability credentials of building questioned.

Local Groups

- 4.3 St Marylebone Society: OBJECT due to height, bulk and poor overall design that is insensitive to Park Village East context. Needs better use of materials and suitable landscaping.

Adjoining Occupiers

	Original			
<i>Number of Letters Sent</i>	201			
<i>Number of responses Received</i>	14			
<i>Number in Support</i>	0			
<i>Number of Objections</i>	14			

4.4 Summary of OBJECTIONS received:

- High density reduces general quality of life.
- Site should be used for office, open space, educational or community use.
- Site too small for proposed development.
- Site not suitable for housing.
- Need more affordable housing, not luxury flats.
- Do not want more housing in area, nor more families.
- Pressure on local infrastructure and services (schools, doctors etc).
- Refusal reasons not addressed.
- Height, bulk and massing of building overly dominant to area's detriment.
- Excessive height- little reduction from last application.
- Dominant effect on Park Village East.
- Harmful impact on nearby conservation area.
- Out of keeping with nearby buildings.
- Too close to existing buildings.
- Loss of light.
- Should be no higher than current building and upper floors should be set back.
- Existing building has reflective materials to enhance light.
- Loss of views.
- Loss of privacy and overlooking.
- Living rooms should be repositioned.
- Noise, disturbance, pollution and waste.
- Nuisance from proposed flats over longer hours than current office hours.
- Demolition and construction nuisance, especially to resting resident shift workers.
- Building works would be hazardous.
- Excessive traffic generation and increased streetside parking demand.
- No parking proposed.

- On dangerous bend with speeding traffic, especially hazardous for children and the elderly.
- Poor environment for children.

5. POLICIES

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

Camden Replacement Unitary Development Plan 2006

- 5.1 It should be noted that this plan has been adopted since the decision was made on the previous application.
- 5.2 *Policy SD1- Quality of Life-* proposal acceptable in principle, subject to conditions/ legal agreement, but currently fails to provide access for all.
Policy SD-2 Planning Obligations- legal agreement required on any consent.
Policy SD4- Density of Development- concerns re design.
Policy SD6- Amenity for Occupiers and Neighbours- proposal acceptable, subject conditions/informatives.
Policy SD7- Light, Noise and Vibration Pollution- proposal acceptable subject to conditions.
Policy SD8- Disturbance from Plant and Machinery- proposal acceptable subject to conditions.
Policy SD9- Use of Energy and Resources- proposal acceptable subject to legal agreement.
Policy SD10- Hazards- proposal acceptable, subject to condition.
Policy SD12- Development and Construction Waste- proposal acceptable, subject to legal agreement.
Policy H1- New housing- proposal acceptable.
Policy H2- Affordable Housing- proposal acceptable, subject to legal agreement.
Policy H7- Lifetime homes and wheelchair housing- proposal currently unacceptable.
Policy H8- Mix of units- proposal acceptable.
Policy B-1 General Design Principles- proposal unacceptable.
Policy B7- Conservation Areas- proposal acceptable.
Policy B9- Views- proposal acceptable.
Policy N4- Providing Open Space- proposal acceptable subject to legal agreement for open space contribution.
Policy N5- Biodiversity- proposal acceptable, subject to conditions/legal agreement.
Policy N7- Trees- proposal acceptable.
Policy T1 Sustainable Transport- proposal acceptable, subject to a legal agreement.
Policy T2 Capacity of transport provision- proposal acceptable.
Policy T3 Pedestrians and Cycling- proposal acceptable subject to conditions.
Policy T4 Public transport- proposal acceptable.

Policy T7 Off street Parking, City Car Clubs/Bike Schemes- proposal acceptable, subject to a legal agreement.

Policy T8 Car free and Car Capped Housing- proposal acceptable subject to legal agreement, though would encourage car-free housing at this location.

Policy T9 Impact of Parking- proposal acceptable, subject to a legal agreement.

Policy T12 Works Affecting Highways- proposal acceptable subject to legal agreement.

Policy E2- Retention of Existing Business Uses- proposal acceptable.

Supplementary Planning Guidance 2002

- 5.2 Sections 3.3, 3.10, 3.13- legal agreement required.

Other Relevant Planning Policies

- 5.3 The London Plan has now been adopted and is also of relevance. It should be noted that the London Plan is broadly supportive of policies in the Camden UDP on such matters as affordable housing. Its policies on sustainability, housing, design and energy are of particular relevance.
- 5.4 Various matters of advice and circulars from the Government and related bodies are also of relevance, particularly Planning Policy Guidance Statements (PPS's) 1- General Principles, and 22- Renewable Energy; Planning Policy Guidance Notes (PPG's) 3 –Housing and 15 Planning and the Historic Environment.

6. ASSESSMENT

- 6.1 The principal considerations material to the determination of this application are summarised as follows:
- a. Loss of the existing authorised office use.
 - b. Acceptability of a residential development in principle.
 - c. Affordable housing and unit mix.
 - d. Acceptability of the standard of residential accommodation.
 - e. EcoHomes
 - f. Renewable energy
 - g. Impact upon strategic views
 - h. Design, bulk and massing.
 - i. Impact upon residential amenities in terms of light and privacy.
 - j. Transport Issues
 - k. Trees

- I. Other issues- Safety and Security; Educational, Health and Open Space Contributions; Construction Nuisance; Ventilation/Plant Equipment; Land Contamination.

a) Loss of existing business use

- 6.2 The site is currently occupied premises that have been used Class B1 offices. UDP Policy E2 recognises that there is a large supply of office premises and in appropriate cases encourages the provision of housing on sites occupied by older office premises that may not be suitable for conversion to other employment uses. The current building no evident features that would make it suitable for other uses and its loss was accepted in principle when the last application was considered. The loss of the office use in order to enable permanent housing is therefore considered acceptable in principle.

b) Acceptability of residential development in principle

- 6.3 The development would provide much-needed housing in Camden. Studies since 1997 have consistently shown that the supply of housing has fallen short of demand and that there is an urgent need to significantly increase the rate of supply. This problem is particularly acute in relation to the supply of affordable housing- the 2004 Housing Needs Survey for the borough concludes that 5,187 affordable units would need to be supplied in the borough annually over the next 5 years in order to meet demand. In 2004/05 243 affordable units received planning permission and 545 units were completed- suggesting that more than a ten fold increase in the rate of supply would be needed in order to meet demand. Housing is expressed as a priority use of the Camden Unitary Development Plan (or UDP). The provision of housing (particularly affordable housing) on this site is therefore welcomed in principle and would thus provide a welcome opportunity to make progress towards meeting the borough's housing targets.

c) Affordable housing and unit mix.

- 6.4 The proposal involves the provision of 39.6% social rented floorspace, the low equity shared ownership - i.e. providing a low proportion of purchase to rent - proportion is 12% by floorspace (29.3% and 14.6% of unit numbers respectively, due to the fact that the social rented includes large family-sized units). This is considered to meet the policy target of 50% affordable, with the balance shifted slightly in favour of social rented relative to the 35% target, which accords well with the Borough's priorities.
- 6.5 The remainder of the units (48.4% of floorspace or 56.1% of units) are identified as shared ownership/private sale. These have not been assumed as being 'affordable' units for the purposes of consideration against the Council's UDP or as necessarily delivering anything that could not be provided by the private sector in complying with the Council's H2 targets. The 2004 Camden Housing Needs Survey showed that many households in housing need in the borough who could afford intermediate housing but not market housing, could only afford a little more than the cost of social housing, and so these units are unlikely to meet affordable housing need in the Borough unless the cost is controlled through the proportion of equity and the ratio of rent to capital value (which would need to be controlled via a legal

agreement if this were to be the case and were to be taken into account as a planning benefit). Shared-ownership units in the scheme that are not be controlled in some way through a S106 agreement, could potentially be sold on to a developer who may dispose of all equity in these units on the open market.

- 6.6 In terms of unit size mix, all of the social rented units have at least two bedrooms and 46.2% of the social rented floorspace is either 3 or 4 bedroom which is close to the Council's target of 50%. The scheme offers only three units that have potential for families with children that are not social-rented, as the remainder proposed all are 1-bedroom units. This is not ideal in terms of sustainable communities, but no different from the previous scheme. Overall, the unit size mix is considered to be acceptable.

d) Acceptability of the standard of residential accommodation.

- 6.7 The proposed units meet the Council's floorspace standards. The family-sized ground floor units have direct access to their own private garden space, though some windows to habitable rooms abut the pavement on Park Village East. Children's' open playspace exists in the vicinity and an open space contribution would be sought (see below). The family-sized units would generally be positioned in the lower parts of the building (ground-third floors, with the exception of 2 x 2-bedroom units on the 5th floor). Double-glazing would be necessary to protect residents against noise (a relevant condition would be required).
- 6.8 The application does not demonstrate that the units will be proposed units would all meet Lifetime Homes standards and that any units would be provided to wheelchair accessible housing standards. This has been raised with the applicant who appears willing to address these omissions, however the proposal is currently unacceptable in these respects (conditions/legal agreement would be required).

e) EcoHomes and Biodiversity

- 6.9 Policies relating to sustainable design and biodiversity have greater weight than at the time of the previous submission due to adoption of the Replacement UDP.
- 6.10 The applicant has submitted an EcoHomes pre-assessment with a score 'Very Good.' This rating would meet UDP requirements (it would also be needed to achieve Housing Corporation funding), but would need to be secured via a legal agreement/conditions. The assessment should be updated to meet new 2006 EcoHomes, which includes new items relating to management. The Council would also require details of flood mitigation and run-off plus biodiversity through such measures as brown or green roofs. Any agreement would require subsequent submission a final design assessment to ensure that the construction specification ensures that the outcome matches the pre-assessment.

f) Renewable energy

- 6.11 The policy relating to renewable energy has greater weight than at the time of the previous submission due to adoption of the Replacement UDP (SD9).

- 6.12 A Renewable Energy Strategy has been submitted considering various options. The Strategy shows that the location and orientation of the site would render ground water heating and solar heating non-viable (£460,000 cost for the latter to reach 10%, with combined water and photovoltaic systems). Turbines are not explored given the constraint on height imposed by strategic views.
- 6.13 The scheme proposes a biomass boiler in a centralised ground-floor plant area. It is stated that this can meet the 10% on-site renewable energy target. This would need to be secured via a legal agreement.

g) Impact upon strategic views

- 6.14 The proposed building is within two strategic viewing corridors: Primrose Hill to St Paul's and Parliament Hill to the Palace of Westminster. A Strategic View Assessment has been provided, including photomontages of both proposed views.
- 6.15 The revised scheme is 56.3m AOD in height (the previous scheme was 58.9m AOD). The threshold for Primrose Hill to St Paul's is 61.7AOD. The revised scheme is therefore outside this viewing corridor threshold. The threshold for Parliament Hill to Westminster is 53.6 AOD. The revised scheme is therefore inside this viewing corridor threshold, however, the general roofline of Westminster will not be obscured by this proposal as an existing taller building (on the West Kentish Town Estate) already stands in front of the proposed building in the view from Parliament Hill and obscures the roofline of Westminster. It is therefore considered acceptable.
- 6.16 The height of the revised scheme is therefore considered acceptable in terms of strategic views.

h) Design, bulk and massing.

- 6.17 The proposed building would rise to 9 storeys at the intersection of Park Village East, Granby Terrace and Stanhope Street, and steps down along Park Village East to 5 storeys. This approach is considered acceptable in terms of linking the change in existing heights between adjacent buildings: with the taller 9 storeys local authority blocks to the south and the smaller 3-4 storey blocks to the north. However, the resubmitted scheme rises sheer from back of pavement on Park Village East, from the ground to 9th storey. The proposed building needs to be broken-up in terms of massing in order to be acceptable. This would offer some relief to Park Village East and further address the previous reason for refusal that referred to the proposal as an "overly dominant feature to the detriment of the streetscene." The acceptability of the tower element at the southern end of the Park Village East elevation would depend upon there being significant set backs to the upper floors (6-9th storey) in order to reduce the overall impact of the bulk and massing of the proposed building.
- 6.18 Some improvements have been made to the previous scheme by providing steps of equal length towards the northern end of the Park Village East elevation and the balconies at either end of the main street frontage are considered appropriate, but these do not overcome the basic concerns outlined in the previous paragraph.

- 6.19 In terms of more detailed treatment of the elevations, while the general rhythm of the revised Park Village East elevation has improved relative to the refused scheme, elements of the elevation are still unacceptable.
- 6.20 The inclusion of additional windows to the tower element at the southern end of the main street frontage and it is understood the applicant is willing to consider a less prominent colour than the indicative lime green render shown on the submitted drawings (details of materials could be conditioned).
- 6.21 The cladding to the 3rd and 9th stories to the wider northern part of the main street frontage unacceptably adds to the confusion of materials used, though the use of brick to the ground and first floor is acceptable. Additionally, the rendered bands proposed on the 6-8th stories are too wide and top heavy adding to the bulky and overly dominant character of the building mentioned above and contributing to an inappropriate overtly horizontal appearance. The fenestration also adds to the confusion by virtue of the different types, lack of alignment and general lack of coherence. The combined impact of these factors result in the top storey of the wider part of the main street elevation failing to integrate with the remainder of the building, for example. Some of the balconies appear small and isolated. The overall appearance of the main street frontage thus lacks coherence and is unacceptable.
- 6.22 The resubmitted scheme is thus considered to still be detrimental to the street scene by virtue of its detailed design and materials. The elevation requires some amendments to mitigate the overly dominant impression the building makes on the street scene. The elevation and the materials need refining to produce a less visually confusing elevation that appears as a unique overall elevational composition. A more select materials palette will help in addressing the visual confusion.
- 6.23 The proposal would be detrimental to the appearance of the immediate streetscene, however it is not considered that the proposal would be in such close proximity as to harm the character or appearance of the Regent's Park or Camden Town Conservation Areas.

i) Impact upon residential amenities in terms of light and privacy.

- 6.24 The proposed site is positioned close to two existing residential blocks- Augustus House to the south and Tintern House to the west. Windows to the flats of Tintern House lie only 7.5m from the site boundary- it is understood that these serve bathrooms and bedrooms.
- 6.25 There would be a number of windows to the rear of the proposed building at a distance of between less than 9m to 18m, however many are to corridors or non-habitable rooms. Those with habitable room windows would not have direct close views to windows in Tintern House either as a result of their height above Tintern House or the oblique angles. Similarly no direct overlooking of habitable room windows in Augustus would be created from the proposed flats, other than at

distances that are considered acceptable in such a central high-density urban location.

- 6.26 The applicant has submitted a daylight and sunlight assessment with the application. No which states that the proposal would not have any significantly detrimental impact on daylight or sunlight into windows of surrounding buildings. The study found that no rooms in Augustus House that qualify as testable habitable rooms faced the proposed development, however the impact upon the windows they tested did not fail the guidelines. The bedroom windows facing the development in Tintern House were tested and the deep access decks of Tintern House were found to cut out potential available daylight such that the proposed building had no further impact against the guidelines. On the top floor, the cutting back of the upper floors would be such that the reduction of daylight would be marginal and not contravene guidelines even though the proposal would be significantly taller than the existing building.

j) Transport Issues

- 6.26 There is opportunity for residents to be encouraged against private car use and instead use local public transport and car club facilities as well as walking and cycling options. A residential travel plan that provides residents with a bulk negotiated discount to access a local car club operator, as well as providing all households with a package of information on public transport and walking and cycling routes in the vicinity, is required and would need to be included in any S106 agreement.
- 6.27 The need for secure cycle parking in accordance with the Council's Parking Standards has been acknowledged in the submission. However, specifics regarding the number of cycle spaces along with evidence of sufficient strategic and secure storage locations around the site have not been provided. A condition should be placed on any permission ensuring provision be made for a minimum of 46 cycle storage spaces, in accordance with UDP standards, plus additional conditions re. securing bikes (ie racks/ stands etc) and providing cycle parking as such in perpetuity.
- 6.28 The Council encourages the provision of parking for city car clubs as an alternative to private car parking and would not object to a limited number of car spaces being designated as such.
- 6.29 Five disabled parking spaces should be provided for this development under Council policies. This would be secured by condition/legal agreement and would need to be on street in this instance as the development would be car-free.
- 6.30 The scheme proposes intensive residential use, which will consequentially impact on available on-street car parking. Given that the development intends to not provide car parking (with the exemption of disabled and car club facilities), there is the possibility for overspill parking onto surrounding streets. In order to overcome concerns in terms of capacity of the existing transport provision on on-street parking, the scheme would need to be car-capped such that future occupiers would not be eligible for on-street parking permits and this would need to be included in any S106 agreement.

- 6.31 Parking bays will need to be created in order to accommodate proposed disabled and car club parking and the surrounding footways adjacent to the development site will need to be reconstructed given the proposed extent of demolition, basement excavation and construction impacts. An existing cross over would need to be removed and it should be noted that the level of the building must be set at an appropriate level to allow for the footway to be reconstructed to Council Standards. A height of 125mm above the level at the edge of the carriageway is recommended. All of these works will need to be funded by the developer and included in a legal agreement.

k) Trees

- 6.32 The proposal will result in the loss of around eight trees, largely silver birch, however these are very small and young and have a very low level of visual amenity value as they can barely be seen from a public place. They are therefore not considered worthy of retention. No other trees appear to be affected by the proposal.

l) Other issues-

- 6.33 *Safety and Security-* The scheme has been prepared in conjunction with the advice of the Metropolitan Police and it is anticipated it would qualify for Secured by Design status, subject to confirmation of minor details. A condition would be required.
- 6.34 *Educational, Health and Open Space Contributions-* An educational contribution of £45,924 and open space contribution of £56,407. No specific justification has been provided for the request from Camden PCT for a health contribution and this is not generally requested for such schemes, thus a contribution is not considered reasonable at the present time (and may undermine the viability of the scheme and the package of planning benefits offered such as affordable housing).
- 6.35 *Construction Nuisance-* The applicant would be expected to comply by a construction practice code and submit a code of Construction Practice for approval by the council prior to commencement of the development. The establishment of a Community Working Group during the construction period would also be required (with regular meetings, a liaison and complaints service). These would be secured via a legal agreement.
- 6.36 *Plant and Machinery-* Suitable conditions would be necessary to prevent noise nuisance and pollution, should any such equipment be proposed in the future.
- 6.37 *Land Contamination-* Relevant condition would be required.

7. CONCLUSION

- 7.1 The proposed development offers significant benefits number of benefits in making intensive use of urban land and delivering much-needed housing, particularly affordable housing that meets the Council's targets and would provide social rented accommodation above target levels. It could make good use renewable energy, suitable contributions to such matters as education, open space and highways

measures. The design however is not yet acceptable and it is considered the bulk and massing of the development would be an overly dominant feature to the detriment of the streetscene as currently proposed. The proposal also fails to provide details of wheelchair accessible and lifetime homes. On balance, the proposal is therefore regrettably recommended for refusal (additional reasons are included in the absence of a legal agreement, though it is realised these could be overcome by the successful completion and signing of a legal agreement)

8. LEGAL COMMENTS

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

Recommended Reasons for Refusal

1. The proposed development by reason of its bulk and massing would be an overly dominant feature to the detriment of the appearance of the immediate streetscene. It would thereby be contrary to policy B1, of the Replacement Camden UDP 2006.
2. The proposed development by reason of its external appearance, detailed design and materials would be detrimental to the appearance of the immediate streetscene. It would thereby be contrary to policy B1, of the Replacement Camden UDP 2006.
3. The proposal would fail to provide residential units in accordance with Lifetime Homes standards or wheelchair accessible standards and would therefore fail to provide an adequate provision of sustainable homes that meet the needs of their occupiers regardless of their physical abilities or changing needs over time. The proposal would thereby be contrary to policy H7 of the Replacement Camden UDP 2006.
4. The proposed development, in the absence of a legal agreement for car-capped housing and a residential travel plan, would be likely to contribute to parking stress and congestion in the surrounding area to the detriment of highway and pedestrian safety, contrary to policies SD2, T1, T7, T8 and T9 of the Replacement Camden UDP 2006.
5. The proposed development, in the absence of a legal agreement securing highway improvements, would be detrimental to highway and pedestrian safety, contrary to section 3.10 (works to public highways) of the Camden Supplementary Planning Guidance 2002 and policies SD2, T3 and T12 of the Replacement Camden UDP 2006.
6. The proposed development, in the absence of a legal agreement for securing educational and open space contributions, would be likely to make an unacceptable increase in pressure and demand on the Borough's education provision and for open space, contrary to section 3.13 (educational contributions from residential developments) of the Camden

Supplementary Planning Guidance 2002 and policies SD2 and N4 of the Replacement Camden UDP 2006

7. The proposed development, in the absence of a legal agreement securing affordable housing, would fail to secure an adequate provision of affordable housing, contrary to section 3.3 (affordable housing) of the Camden Supplementary Planning Guidance 2002 and policies SD2 and H2 of the Replacement Camden UDP 2006.
8. The proposed development, in the absence of a legal agreement securing renewable energy, EcoHomes and biodiversity measures, would fail to provide a sustainable development that produces an adequate contribution to meeting its energy needs from the site and employment of sustainable construction and operation methods to reduce the demand for energy, plus make an adequate contribution to protecting/enhancing local ecology. The proposal is thereby contrary to policies SD1, SD9, B1 and N5 of the Replacement Camden UDP 2006
9. The proposed development, in the absence of a legal agreement securing a code of construction practice agreement would fail to ensure that the process of construction would prevent causing nuisance to local residents and the area by reason of noise, pollution, traffic or inconsiderate construction practices. The proposal is thereby contrary to policies SD2 and SD6 of the Replacement Camden UDP 2006.

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