

OFFICERS' REPORT

Reason for Referral to Committee:

The proposal is a major mixed-use development involving the construction of more than 10 new dwellings and more than 1000sq m of non-residential floorspace, under "Matters delegated to the Development Control Sub-Committee" paragraph 3(i), and involves the signing of a section 106 legal agreement restricting the use of the residential component to student accommodation.

This 'major' application must be decided by this Development Control Sub Committee if it is to be determined within the required 13 week timescale.

1. BACKGROUND

1.1. The proposed scheme seeks to demolish the existing primary school buildings and replace them with a new school building and student accommodation, which would fund the costs of providing the school. The current school accommodation is deemed deficient as a result of the most recent OFSTED inspection of the school in October 2003. The report assessed the school as 5 (unsatisfactory) on a scale of 1-7 in terms accommodation and resources provision. In particular OFSTED identified the following:

- Unsatisfactory accommodation overall
- Unsatisfactory opportunities for participation in sport
- A lack of space in the hall and in the outdoor play area with negative impacts on pupil achievement.
- No wheelchair access

The applicant considers that many of these issues are difficult to address without substantial change to the fabric of the school.

1.2. The school is considered a poor school that serves an area of the borough that suffers disadvantage. Approximately one third of the pupils are refugees with almost half being eligible for free school meals. Approximately 20% of the pupils have special educational needs. All of these indicators are above the national average.

1.3. The school is voluntary aided, which means that the responsibility for capital investment in school buildings rests with the school governors and the London Diocesan Board for Schools (LDBS) rather than Camden as the local education authority. The arrangement also requires the governors to contribute 10% of the costs of any scheme supported by central government (the DfES). As the school itself would be unlikely to raise sufficient funds for a replacement, a self-financing approach, based around the development of residential (student) accommodation, has been proposed.

1.4. This approach has in-principle support from officers of the Education Department.

- 1.5. The other joint applicant, UNITE, is a leading specialist provider of accommodation services for students and NHS key workers.

2. SITE

- 2.1. The application site is known as St Mary and St Pancras Primary School, which is single-form entry. The school site comprises the following: a 3-storey (including basement) red brick Victorian building fronting Polygon Road; a single storey prefabricated nursery building; a single storey prefabricated community social club building; an two-storey former caretaker's house currently used as administrative offices for Sure Start; and playground (880 sq m) and car and informal staff car parking area that is accessed from Aldenham Street. There is a gentle fall in ground level from east to west. The existing buildings are not listed, do not adjoin listed buildings and are not within a conservation area. On-street residents' parking is available around the site, aside from the north side of Polygon Road.
- 2.2. The site lies within a street block, with Polygon Road, Werrington Street and Aldenham Street forming the site's southern, western and northern boundaries. Chalton Street. The main school building is immediately adjoined to the east by 4-storey flats/townhouses and a 3-storey residential care home. The Chalton Street frontage is characterised by 5-6 storey high flats. Beyond the street block to the north, across Aldenham Street, are mansion flats, predominantly 5-storeys high; to the west across Werrington Street is St Aloysius RC Primary School; and to the south, across Polygon Road is a 4-storey block of flats known as Oakshott Court. To the east of the site is the Somers Town Community Sports Centre.
- 2.3. Within the site are number of trees would be removed as a result of demolition. These are not protected by tree preservation orders. However, all trees to be removed are to be replaced.
- 2.4. The wider area is generally characterised by flats of between 4 and 6 storeys high, interspersed with schools and community facilities.

3. THE PROPOSAL

- 3.1. The proposals have been the subject of many discussions between Council officers and the scheme architect. The proposals currently before the sub-committee have been amended to address design matters raised in those discussions.
- 3.2. The aforementioned OFSTED report provides the basis for the proposed demolition of the buildings on the application site, with the justification that school provides unsatisfactory accommodation that would not meet current educational requirements in terms of internal and playground space.
- 3.3. It is proposed to demolish all buildings on site and to construct an L-shaped block of 5 and 6 storeys, with the 5-storey element facing Aldenham Street and the 6-storey element facing Werrington Street, with significant returns (22m wide) to both the Werrington Street and Polygon Road frontages). The Werrington Street return forms a distinct corner element at its junction with Aldenham Street and there would be an enclosed forecourt/recreation area, bounded by a brick wall punched and

glazing and forming a two-storey void. The building would comprise: a replacement school within the lowermost two storeys of the Werrington Street wing (the school hall would be to the rear of the ground floor of the Aldenham Street wing); a self-contained office suite to re-house Sure Start at the ground floor corner of Werrington Street/Polygon Road; and student residential and ancillary services occupying the upper four storeys of the Werrington Street wing and primarily all 5 storeys of the Aldenham Street wing. Behind the main building, the open area of approximately 2600sq m would comprise the school playground, a quiet play area, a ball court, staff car parking (6 spaces)/servicing and two banks of cycle parking. This area would also incorporate replacement trees and soft planting.

- 3.4. The 5-storey northern (Aldenham Street) wing would be 16m high, but with the 5th storey set back 1.7m from the 4th storey parapet. The Werrington Street wing, which also forms a significant part of the Aldenham Street and Polygon Road frontages, would be 19m high. Again, the 6th storey would be set back 1.7m the 5th storey parapet.
- 3.5. The building would be of contemporary style and would present three distinct elements, the Aldenham Street wing, the Werrington Street wing and the corner element. **The Aldenham Street wing**, is to be book-ended by a pair of glazed stair/lift towers and would be primarily faced in render, with a significant element of full height glazing at ground floor. The set back 5th storey would be faced in aluminium cladding panels. The render and cladding treatment would be repeated at the **Werrington Street wing** above the 2nd storey to both front and rear elevations. The bottom two storeys would comprise glazing interspersed with bands of multi-coloured aluminium cladding panels and facing brickwork, also to front and rear elevations. In addition, there would be a glazed stair tower at the corner of Werrington Street and Polygon road. **The corner element** would project over the recessed the forecourt/recreation above the 2nd storey and would be characterised by timber cladding with each frontage having a projecting vertical bay of windows. The remainder of the gazing throughout the external elevations would have punched rectangular windows that show a horizontal emphasis. The building would also be set back from the original boundary line to allow the existing footway to be widened and to incorporate build-outs at the Aldenham Street/Werrington Street junction and along Polygon Road.
- 3.6. Pedestrian access to the each element of the building would be as follows. The corner element would provide the main access to the school, with entrance doors within full height glazing. Access to Sure Start would be from Polygon Road, whilst access to the student accommodation would be gained from all three of the stair towers - the tower adjacent to the corner element comprising a lift. There would also be an additional access to the student common room that fronts Aldenham Street. Controlled pedestrian access would be gained to the school playground from Polygon Road. Vehicular access to the staff car park/servicing area would be from Aldenham Street.
- 3.7. The boundary treatment to those parts of the building that would not be at back edge of pavement would comprise steel mesh fencing. At the Aldenham Street frontage this would be 2.1m high extending almost 25m along the width of the staff parking and servicing area. At the Werrington Street frontage, 2.1m high fencing

would extend 35m along the playground/cycle stand area, rising to 4m high in front of the ball court.

- 3.8. The student accommodation would be comprised of 44 flats, 27 of them "cluster flats"; containing 4-6 study bedrooms with en-suite shower/wc and shared kitchens. The other 17 units would be self-contained two-person studio flats. In total 165 study bedrooms would be provided with 182 bed spaces. The schedule of accommodation is as follows:

First floor (Aldenham Street wing) –	5 x double studio
Second floor (both wings) -	2 x 4 study cluster
	2 x 5 study cluster
	5 x 6 study cluster
Third floor (both wings) -	2 x 4 study cluster
	2 x 5 study cluster
	5 x 6 study cluster
Fourth floor (both wings) -	5 x double studio
	1 x 4 study cluster
	1 x 5 study cluster
	5 x 6 study cluster
Fifth floor (Werrington Street wing) -	7 x double studio
	2 x 6 study cluster

Internal layout

- 3.9. The main school (corner) entrance would lead diagonally to a circulation area, foyer and lift stairs. The main hall would be to the left of the foyer within the Aldenham Street wing and behind, but completely separate from the ground floor student common room and laundry area. The hall would look directly onto the playground area. To the right there would be access to the main school area. The ground floor would comprise: nursery and reception rooms, 2 classrooms, offices, medical room and creative study/recreation rooms. The first floor would comprise: 4 classrooms, library, teachers' resource room and creative study/recreation rooms. The rooms would be positioned around a central corridor "spine" that would provide a generous area of circulation. The internal layout of the school would maximise the opportunity for the community use of the facilities, with the classrooms being able to be secured out of hours to allow use of the corner forecourt, foyer and school hall. Access to the ball court for out of hours community or student use can be gained from Polygon Road without entering the school.
- 3.10. Aside from the first floor of the Aldenham Street wing, the student rooms would be located either side of a central corridor with single aspects to Aldenham Street, Werrington Street and the internal elevations.
- 3.11. 56 cycle parking stands have been proposed although precise details of the type of stands have not been provided. The design of this can be secured by condition.

4. RELEVANT HISTORY

- 4.1. 6 December 2004. App No. 2004/4555/P. Planning application withdrawn for the demolition of existing buildings and redevelopment of the site by the erection of a

six-storey building comprising a replacement primary school on the ground and first floors and 44 student flats above; replacement "Sure Start" accommodation; school car parking; landscaping; and associated external works.

5. CONSULTATIONS

External Consultees

- 5.1. London Fire & Emergency Planning Authority: Further information required re fire alarms and emergency lighting systems.
- 5.2. Metropolitan Police (Crime Prevention): Generally supportive of proposals and the security measure proposed accord with their requirements, e.g. access control re perimeter security, ensuring that fences/gates are incapable of being climbed, "accessible windows", ensuring the communal areas are well lit and CCTV and other alarm controls. In order to secure adequate levels of security for future occupiers and occupiers in the vicinity, the applicants have advised that a condition is attached to "comply with the aims and objectives of Secured by Design." The applicant is aware of the Secured by Design (SBD) guidance.

Local Groups

- 5.3. St Pancras Humanist Housing Association residents Association: No comments received.

Adjoining Occupiers

<i>Number of Letters Sent</i>	601
<i>Number of responses Received</i>	14
<i>Number in Support</i>	Nil
<i>Number of Objections</i>	11
<i>Number of Comments</i>	3

- 5.4. The majority of individual responses, whether objecting, supporting or commenting on the proposals, have been received from the occupiers of the residential mansion blocks fronting Aldenham Street (including St Nicholas Flats). 12 letters of objection received, the grounds of which are summarised as follows:

- Principle of development (general concern about the need for student accommodation although there is consensus that improved educational facilities could be beneficial)
- Noise, disturbance, dust and fumes arising from construction work (one of the objectors lives adjacent to the school building and is concerned that the resultant exposed wall would not be well maintained.
- Noise and disturbance arising from student activity
- Height
- Proposed design

- Loss of day/sunlight
- Loss of outlook
- Loss of privacy/overlooking
- Loss of an architecturally sound building
- Adverse effect upon the architectural character of the area
- Adverse effects on the quality of life
- Proposal would exacerbate the existing residential stress in the area/overcrowding
- Insufficient car parking
- Proposal would generate demand for parking spaces (especially from students)
- Proposal would exacerbate existing parking conditions
- Increased sense of enclosure

6. POLICIES

Camden Unitary Development Plan 2000

- 6.1. The site is located within the Central London Area within a Strategic View: Background Consultation Area. 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.
- 6.2. *RE1 Environmental quality and regeneration – complies, subject to conditions*
RE2 Residential amenity and environment – complies
RE3 Access for all – complies
RE4 Location of development - complies
RE5 Mixed use development (replacement policy – UDP Alteration No.2) - complies
RE6 Planning obligations – complies
EN1 General environmental protection and improvement – complies
EN3 Area improvement – complies in principle
EN7 Noise and disturbance during construction activity – compliance can be secured by condition
EN12 Use of resources – complies
EN13 Design of new development – complies
EN14 Setting of new development – complies
EN15 Landscaping – complies, subject to conditions
EN16 Site layout - complies
EN19 Amenity for occupiers and neighbours –complies

EN20 Community safety - compliance can be secured by condition
 SHG1 Priority use housing (complies)
 HG8 Increasing the amount of residential accommodation - complies
 HG11 Affordable housing – complies
 H2 (Revised UDP 2004) - complies
***Draft SPG (Nov. 2003) Affordable Housing and Housing in Mixed Use Development
 (amplification of policies HG11 and H2)**
 HG12 Visual privacy and overlooking – complies
 HG15/16 Ensuring provision of a range/mix of housing - complies
 HG22 New hostel accommodation - complies
 TR3 Transport assessments and travel plans – complies, subject to s.106
 TR12 Non-residential car parking – complies in principle
 TR16 Car-free housing developments – complies, subject to s.106
 TR17 Residential parking standards – does not comply
 TR19 Road safety – complies
 TR22 Cycling – complies
 TR23 Movement of goods: facilities and amenity – complies
 SC1 Retention and new provision of Class D1 uses - complies
 SC8 Education - complies
 LC11 Public art – complies, subject to s.106

DS5 Visual Privacy and Overlooking Standards – generally complies
 DS8/9 and 10 Car Parking, servicing and cycle parking standards – complies

Supplementary Planning Guidance

- 6.3. 1- Principles of Sustainable Design, 2-Development, 3-General Guidance, 4-Pollution, 5-Vehicles and pedestrians.
- 6.4. Draft SPG entitled “Affordable Housing and Housing in Mixed Use Development” was approved in October 2003 for consultation and development control purposes. This draft would replace adopted SPG section 3.3. Consultation took place from November 2003 to January 2004. This section of the SPG is relevant to the application.

Other Relevant Planning Policies

- 6.5. The Revised Draft of the Replacement Camden UDP is also a material consideration of limited weight. This was agreed for consultation and development control purposes on 17/3/04. This identifies the site as a proposals site for mixed use.
- 6.6. 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 locational strategy for non-residential development and affordable housing. Various matters of advice and circulars from the Government and related bodies are also of relevance.

7. ASSESSMENT

- 7.1. The principal considerations material to the determination of this application are summarised as follows:

- Acceptability of proposed use
- Impact of the development on the area's character and as a result of the building's scale, design and impact upon amenity of neighbouring uses
- Transport considerations
- Other matters.

The proposed use

- 7.2. The proposed development involves a mix of uses D1 use on the lower floors, a small element of B1 use and the majority of the floorspace given over to student accommodation located on the upper floors. Within the central London area, UDP policy RE5 encourages the principle of a mixed-use development, subject to other policies or the need to realise other planning objectives. In this instance the proposals are acceptable.

Education

- 7.3. UDP policy SC8 indicates that the Council will grant permission for the extension and alteration of existing educational facilities. This policy supports the proposals, as there will be no loss of residential land, and an increase in the external play space for the school. Furthermore the proposed design allows for the community use of the facilities outside school hours, with the ability to separate and lock off the school classrooms. Such facilities include the school hall; foyer, forecourt and external play areas.

The principle of student accommodation

- 7.4. The primary use proposed in this case is student accommodation. UDP policy HG5 encourages the provision of residential floorspace in mixed-use schemes where appropriate in terms of policy RE5. Although considered more akin to a hostel use (sui-generis) rather than C3 residential, UDP policy HG22 (new hostel accommodation) would support the proposal, as the residential component of the scheme would be student accommodation, and as long as it remained so, would count as permanent residential use for the purposes of policy HG5.
- 7.5. It is considered that in general terms, the UDP housing policies would welcome this development due to the contribution it makes to the borough's housing stock and easing pressures for student accommodation locally. The Council's affordable housing policy HG11 is not considered to apply in this case; draft supplementary planning guidance states that there are limited circumstances in which the Council may not apply policy HG11 and emerging policy H2, one of these exemptions is accommodation designated for students. However, a Section 106 legal agreement would need to be secured to ensure that the cluster units and studios were not subsequently sold on the open market as self-contained dwellings.

Retention and new provision of non-residential institutions

- 7.6. UDP policy SC1 seeks to secure the retention and re-use for social and community purposes within Use Class D1 where considered suitable in terms of location, physical characteristics accessibility. The application proposes to replace an existing school (increasing the floorspace from 1561 sq m to 1904 sq m), whilst

providing increased play space for a school that is currently deficient in terms of national (DfES) requirements. Furthermore, the existing Sure Start centre is being incorporated and the land use principles could be supported in this instance. An existing community centre would be lost as part of the redevelopment proposals. The applicants have indicated their willingness to allow the facilities outlined in paragraph 7.3 above (school hall, foyer, forecourt and external play areas and ancillary facilities) to be used by local community groups in addition to the student occupants, outside school hours. The hours of use can be controlled by condition with activity restricted before 9:00pm for the outdoor facilities and 10:00pm for the indoor/enclosed facilities.

Impact on the area's character and appearance

Objections have been raised by nearby occupiers on grounds of; inter alia, excessive height, the design being out of character, over-development, and loss of daylight, sunlight and privacy

a) Design/Scale and bulk

- 7.7. UDP policies EN13, 14, 16 and 18 seek to ensure that new development: is of high design quality, is sensitive and compatible with the scale of their surroundings, that the layout takes account of the intrinsic built character and other existing physical characteristics and have respond to the architectural characteristics of adjacent development.
- 7.8. The form of the building would provide a re-instatement of the street edge along both Werrington and Streets whilst maintaining an acceptable balance between the ratio of built and un-built form within the site and characterised by St Aloysius School frontage to the west and St Michael's flats frontage to the north. The height of the building steps down along Aldenham Street, the height of the roof line has been reduced in comparison with the withdrawn scheme (see history) and the building is set back from the pavement in response to the height existing residential development. The setting back of the building would also create a more open feel to adjoining streets. The frontage is also discontinuous, whilst the gap created by the staff parking/servicing area between the proposal and Phyllis Hodgson House, allows view through the central open space.
- 7.9. The need to ensure against blank facades at street level, whilst maintaining privacy and security for the school has been achieved to a satisfactory degree through the provision of glazing and coloured panels. The contrasting elevational treatment of the student accommodation and the recessed topmost storeys provide visual interest and breaks up what could potentially be an unrelieved façade. This approach has also been replicated on the playground elevations.
- 7.10. The main corner feature at the Werrington Street/Aldenham Street junction includes an enclosed space for security reasons, but incorporates a degree of transparency to ensure an appropriate balance between surveillance and privacy. A further response to transparency is the glazed stair tower at the Werrington Street/Polygon Road junction.

- 7.11. The principle of the external treatment could be supported; however, it is considered that the proposed mesh fencing would not provide the appropriate amount of openness and the applicant are requested that they reconsider this approach to treating the boundary. This can be conditioned accordingly.
- 7.12. Concerns have been expressed at the loss of the existing Victorian school building, which is structurally sound. Whilst the loss of this building would be regrettable, this building is not considered of sufficient merit to be worthy of listing and is not in a conservation area. Furthermore, the building could be demolished without requiring planning permission from the local planning authority. The remaining prefabricated buildings are of no interest.
- 7.13. It is considered that the design approach is suitably sensitive and would ensure a building that is in scale with its surroundings, therefore complying with policy in design terms.

b) Impact on neighbouring amenity

- 7.14. PRIVACY, OVERLOOKING & OUTLOOK - In terms these matters, the distance separation between the Aldenham Street elevation and St Michael's flats is 14m, less than the Council's minimum distance between habitable rooms of 18m set out in its SPG. This has implications for that part of 3-storey element of St Michael's/St Nicholas flats that would face the new building. However, the top (5th) storey would be set back a further 1.7m to address this issue and given the proposed locational relationship, overlooking across the street would not be a compelling reason for objection, given the urban context and government advice seeking to encouraging higher housing densities, contained in PPG3.
- 7.15. DAYLIGHT & SUNLIGHT – The council assesses the effects of development on current received daylight to existing habitable rooms within residential development, through the standards recommended in the Building Research Establishment (BRE) report: Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (1991), which is enshrined in UDP policy EN19. A qualitative assessment has indicated that the effect of the proposal on received daylight to the habitable room windows on the ground, first and second floors of the relevant flats in Aldenham Street and Werrington Street (St Margaret's House), has indicated that a daylight loss, which could potentially have an adverse effect on received daylight to these rooms, could be identified. In order to establish whether the degree of daylight loss would be materially harmful, an assessment using the quantitative tests of both the Vertical Sky Component (VSC) and Average Daylight Factor (ADF) principles, has been prepared by the applicant in respect of the proposals contributing construction of the new block and it's location in relation those identified buildings.
- 7.16. A fundamental principle underpins the measurement of the VSC. The BRE guidelines state:
- “ If this vertical sky component is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction

below this level should be kept to a minimum. If the VCS with the new development in place, is both less than 27% and less than 80% of its former value, then occupants of the existing building will notice the reduction in the amount of skylight.”

- 7.17. The submitted daylight and sunlight report (dated December 2005), has demonstrated that the first, second and third floor habitable windows would experience a reduction in received daylight. The majority of the readings indicate that the majority of the affected have an existing VSC of less than 27%, but within the urban context this is to be expected. However, the resultant VSC in most cases is less than 80% of its previous value, which is not considered tolerable.
- 7.18. In terms of the ADF, the BRE recommends that the amount of light serving the following rooms should be satisfactory should the 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. The ADF analysis indicates that the majority of the windows tested served bedrooms and that all readings comfortably exceeded the minimum requirements. These are general conclusions, for which further proof may be required. Again, one has to bear in mind that the BRE guidelines are national guidelines, not intended to be applied prescriptively and based on built environments dissimilar to that characteristic of central urban locations.
- 7.19. OTHER AMENITY ISSUES – Aside from potential parking pressures –which can be addressed by the car capping legal agreement, the main concern of residents is the large influx of a transient student population and the associated impacts – mainly noise. The proposal incorporates additional residential accommodation in a primarily residential area. As students themselves require an environment free from disturbance in order to study, it is not considered that the impact of the proposed use would be such as to be incompatible with the surrounding area.

Transport Implications

- 7.20. The proposal does not trigger the need for a transport assessment as outlined in UDP policy TR3, as there would be a relatively small increase in educational floorspace, whilst residential accommodation provides the majority of the proposed floorspace. Nevertheless, as car parking is proposed and the scheme would provide net additional D1 floorspace, a school travel plan would be required and can be secured by a s.106 agreement
- 7.21. The scheme does not comply with UDP policy TR17 (residential parking) as no residential car parking is proposed and in these circumstances UDP policy TR16 applies. This policy encourages car-free housing particularly in locations that are: easily accessible by public transport, where there are a range of activities, including shops and leisure activities, and within a controlled parking zone. The proposal complies with policy TR16, as the application site is within the Central London Area and is highly accessible to a range of alternative forms of (public) transport - Tube, train and bus. A legal agreement is required to secure the development as car free, aside from the two disabled car parking spaces proposed.
- 7.22. UDP policy TR12 seeks to limit commuter car parking and the policy sets a limit on the amount of non-residential car parking allowed in any new development. This is

set at 1 space per 600-1000m² outside of central London, i.e. which would mean that a maximum of 3 spaces would be required for the school. As the scheme proposes a limited number of such parking (4 spaces) and would be much reduced from the existing allocation, the proposals would be acceptable, in conjunction with the requirement of a school Travel Plan.

- 7.23. This scheme provides the opportunity to improve the pedestrian environment through widening of the footways and the incorporation of build-outs to limit traffic speed. This would need to be designed and financed by the applicant as part of a s.106 legal agreement, and implemented by the Council's transport engineers service. Furthermore no doors shall open put onto the public highway and this can be conditioned accordingly.
- 7.24. The parking/loading layout would be acceptable, as long as an impervious material surfaces it; and subject to detailed design of the reconstructed footway/ crossover ensuring that the footway remains level indicating pedestrian priority and calming traffic entering and leaving the site. Again, this would be subject to a s.106 agreement as above.
- 7.25. 56 cycle parking spaces are to be provided in line with the principles outlined in UDP policy TR22. The type of cycle stand – toast racks are recommended – can be controlled by condition.

Other considerations

- 7.26. The proposal would result in the loss of all trees within the site that are close to the Aldenham Street and Werrington road frontages. 15 replacement trees are proposed, 7 of them on the widened footway adjacent to Aldenham Street. The trees would be still fall within the application site and a condition is recommended to ensure that all trees are replaced, including the planting of semi-mature trees of native species.
- 7.27. The proposal would be basically secure from a crime prevention perspective, other than requirements to ensure the safety of people using the footpath and that the main entrance is well lit.
- 7.28. Conditions are recommended to provide adequate sound insulation between storeys and prevent noise escape from the building and plant housings.
- 7.29. Conditions are recommended to ensure that noise and disturbance is minimised during the construction period.
- 7.30. Conditions are required to ensure that there is no ground contamination upon construction of the development.
- 7.31. A BREEAM assessment would be required to ensure the use of sustainable construction methods and materials.
- 7.32. There would be no anticipated impacts on any known archaeological heritage.

8. CONCLUSION

8.1. The design and scale of the proposed new building is considered acceptable for its context. The proposals would result in a much-needed replacement school with facilities that would benefit both the Borough as whole and local residents. It is considered that the additional student population could be integrated into immediate area without undue detriment to the living conditions of its existing residents. Approval is therefore recommended.

9. LEGAL COMMENTS

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

10. RECOMMENDATION 1:

GRANT PLANNING PERMISSION subject to conditions and legal agreement:

10.1. Legal Agreement:

- Payment of the Council's reasonable costs.
- All residential units to be car-free, unless the occupants are holders of disabled person's badges.
- The provision of a Green Travel Plan (primarily a school travel plan).
- The provision of a Student Accommodation Plan.
- A highways contribution of £89,616.
- A contribution to public art of £30,000.
- Occupation of the residential component be restricted to students in full or part-time higher education and no part of the property be sold as a separate self contained unit.
- Access to school hall; foyer, forecourt, external play areas and ancillary facilities by community groups and occupiers of the student accommodation outside school hours, for a rental no greater than that of comparable community facilities in the locality.

10.2. Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of five years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The details of the layout, sections, elevations and facing materials to be used on the building shall be in accordance with the details submitted (or subsequently submitted) for approval by the Council and shall be carried out in accordance with those details. [Such details shall include proposed slab levels of the building in

relation to the existing and proposed levels of the site and the surrounding land.]

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies EN1 and EN13 of the London Borough of Camden Unitary Development Plan 2000.

- 3 No meter boxes, flues, vents or pipes shall be fixed or installed on the street and return elevations of the building.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies EN1 and EN13 of the London Borough of Camden Unitary Development Plan 2000.

- 4 Sample panels of all facing materials, window units, balconies, terraces and roof shall be provided on site and approved by the Council before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The sample panel(s) shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies EN1 and EN13 of the London Borough of Camden Unitary Development Plan 2000.

- 5 Before the use commences sound insulation between all units in separate occupation shall be provided for the building in accordance with a scheme to be first approved by the local planning authority. The use shall thereafter not be carried out other than in complete compliance with the approved scheme.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy RE2 of the London Borough of Camden Unitary Development Plan 2000.

- 6 Before the use commences, details of the method of storage and waste removal (including recycled materials) shall be submitted to and approved by the Council and the approved method shall thereafter be maintained.

Reason: To safeguard the amenities of the adjoining premises and the area generally, in accordance with the requirements of policies RE2, EN5, EN6 and DS6 of the London Borough of Camden Unitary Development Plan 2000.

- 7 The details of all boundary treatment shall have been submitted to and approved by the Council before any work is commenced on the site and shall thereafter be implemented and maintained.

Reason: To safeguard the appearance of the premises, the amenity of occupiers of the premises and the character of the immediate area in accordance with the requirements of policy EN19 of the London Borough of Camden Unitary Development Plan 2000.

- 8 All hard and soft landscaping works shall be carried out to a reasonable standard

and to be approved in accordance with details to be submitted prior to commencement of development by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies EN15 of the London Borough of Camden Unitary Development Plan 2000.

- 9 Details of the provision of the cycle parking spaces/stands shall be submitted to and approved by the Council before any work on the site is commenced.

Reason: To ensure the satisfactory provision of cycle parking in accordance with the requirement of policy TR22 of the London Borough of Camden Unitary Development Plan 2000.

- 10 No development shall take place until:
- a) The applicant has submitted a programme of ground investigation for the presence of soil and groundwater contamination and landfill gas for approval by the Council; and
 - b) The investigation has been carried out in accordance with the approved details and the results and remediation measures (if necessary) have been submitted to and approved by the Council. All approved remediation measures shall be implemented strictly in accordance with the approved details.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy EN10 of the London Borough of Camden Unitary Development Plan 2000.

- 11 No persons shall use the following facilities: the school hall; foyer, forecourt and ancillary internal facilities, after school hours between 2200hours and 1800 hours the next day.

Reason: To safeguard the amenities of adjoining premises and the area generally in accordance with the requirements of policy RE2 of the London Borough of Camden Unitary Development Plan 2000.

- 12 No persons shall use the following facilities: the external play areas including the ball court, after school hours between 2100hours and 1800 hours the next day.

Reason: To safeguard the amenities of adjoining premises and the area generally in accordance with the requirements of policy RE2 of the London Borough of Camden Unitary Development Plan 2000.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. The penalty for contractors undertaking noisy works outside permitted hours is a maximum fine of £5000 per offence. You are advised to consult the Council's Environmental Health Division, Camden Town Hall, Argyle Street, WC1H (Tel. No. 020 7974 4444) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 You are advised that a BREEAM assessment should be carried out with a view to achieving a favourable assessment in line with the Council's aspirations to promote sustainable development.

11. RECOMMENDATION 2:

IN THE EVENT THAT THE LEGAL AGREEMENT IS NOT COMPLETED PRIOR TO THE STATUTORY EXPIRY DATE AS RESOLVED BY THE SUB-COMMITTEE, REFUSAL IS RECOMMENDED:

Reason for refusal:

1. The proposal, by reason that the student accommodation could not be secured for students in perpetuity, would be contrary to policies RE5, HG8, HG11, HG15, HG16 and HG22 of the London Borough of Camden Unitary Development Plan 2000.
2. The proposal, by reason of a loss of a community use without adequate replacement, would be contrary to policy SC1 of the London Borough of Camden Unitary Development Plan 2000.
3. The proposal, by reason of a the failure to provide car-free housing, would be contrary to policy TR16 of the London Borough of Camden Unitary Development Plan 2000.
4. The proposal, by reason of a failure to provide highway contributions to undertake external works outside the application site, would be contrary to policy TR21 of the London Borough of Camden Unitary Development Plan 2000.

5. The proposal, by reason of a failure to provide a Green Travel Plan, would be contrary to policy TR3 of the London Borough of Camden Unitary Development Plan 2000.