

# 2014/3117/P – Cavendish School, Inverness Street



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Photo 1. View from opposite site of Inverness Street



Photo 2. View from within existing car park area, showing original school in distance



Photo 3. Rear of No.33 Inverness Street and No.35 (Clearwater Yard)



Photo 4. Rear of Camden House



Photo 5. View from west of Inverness Street



Photo 6. View from junction with Arlington Road



Photo 7. View from within existing car park looking towards location of proposed development

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>09/07/2014</b>
<b>(Members Briefing)</b>		N/A	<b>Consultation Expiry Date:</b>	16/10/2014
<b>Officer</b>			<b>Application Number(s)</b>	
Seonaid Carr			2014/3117/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
The Cavendish School 31 Inverness Street London NW1 7HB			See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Erection of part 1 part 3 storey building comprising assembly hall, classrooms, and roof plant; alterations to existing boundary treatment and associated hard and soft landscaping.				
<b>Recommendation(s):</b>		Grant conditional permission subject to Section 106 legal agreement		
<b>Application Type:</b>		Full Planning Permission		

Conditions or Reasons for Refusal:	<b>Refer to Draft Decision Notice</b>					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>83</b>	No. of responses	<b>18</b>	No. of objections	<b>18</b>
			No. Electronic	<b>00</b>		
Summary of consultation responses:	<p>A press notice was published on 05 June expiring 26 June 2014 and a site notice was displayed on 04 June 2014 expiring 25 June 2014.</p> <p>Following the initial consultation, neighbours were notified a second time due to an error with the OS map and given a further 21 days to comment and then a third time when amendments were received from the applicant with a further 14 days to comment.</p> <p>18 objections have been received.</p> <p>The comments from the first round of consultation is summarised below:</p> <p><u>Council's procedure</u></p> <ul style="list-style-type: none"> <li>I don't understand why the residents of Inverness Street are not on the consultation panel for the application. I believe it would be worth a public enquiry to understand why the residents of Inverness Street have not been consulted on this massive application.</li> <li>I was not consulted, why are parkway businesses consulted and I not, is it because I am from abroad.</li> <li>The school did not inform me of their plans for the extension.</li> <li>There were no notifications in the street, on either Inverness Street or Arlington Road.</li> <li>The location map shown on the website is incorrect.</li> <li>Photo 4 within the Design and Access statement has been photo-shopped to remove the birch and view of the Victorian building behind, this is wilfully misleading.</li> <li>The incorrect information invalidates the entire process from a legal point.</li> </ul> <p><b>Officer response:</b> <i>Please see section 8 of the report.</i></p> <p><u>Application</u></p> <p><b>Design</b></p> <ul style="list-style-type: none"> <li>Concern with the loss of the gap in the streetscene as underlined in the Camden Town Conservation Area Appraisal. Design is bulky.</li> <li>I would support a design which would be in keeping with the existing 'feel' of Inverness Street and especially the row of houses which the new building adjoins. A sympathetic design, even copying the Georgian house-front style would be preferred and could even enhance the street view. The proposed design does not enhance the character of the area.</li> <li>The new extension is not subordinate to the existing building or to the host site in terms of scale and has an overly large footprint.</li> <li>Development is too high.</li> <li>Design is ugly and does not respect No.33. If it goes ahead it will ruin the life of the family and spoil the oldest house in the street.</li> <li>Aluminium windows are not appropriate.</li> <li>I think a modest single storey development is all that should be allowed.</li> <li>Building has not been set back from the street to preserve nice balcony of No.33.</li> <li>The front building proposed would obscure the view on the 1850 building at the back.</li> <li>The existing school is fairly unattractive, but recessed from the street and partially shielded by what little foliage there is in the car park. I request the development is set back from the pavement to retain some afternoon sunlight, and spare the trees at the front; shorten the building; improve its appearance.</li> </ul>					

- The footprint of the building was doubled by the school a few years ago, to increase further would be totally unacceptable.
- Camden should apply the same rules it does to commercial premises as it does residents. If I wanted to increase my house by 100% filling in the back garden and the front with bricks and mortar, I would not get permission and rightly so. I feel someone must have a good friend in the Council if this application goes through.
- Design is an industrial context not in keeping with Camden Town or its planning rules.

**Officer comment:** Please see section 3 of the report below.

#### **Amenity**

- I believe the sound test for the hall is not valid as it has been made in the street and not the rear where the hall would stand. The problem of noise and vibration would stand at less than 5m from our property and amenities and the fact the decibels would be increased of 10db is not acceptable with DP28.
- Strict hours of operation for the hall should be applied with no possibility to rent it out.
- The plant room on the top of the building is ugly and would create noise and vibrations to the neighbourhood.
- Noise from the hall would not be acceptable. The hall should be soundproofed, the windows should not be able to open. Noise would affect neighbours and office building at No.35.
- The plant should be integrated into the building.
- There will also be noise from the machinery atop the building how will we object to this after it has been put in place.
- The increased of 10db means 10 times higher, which is not acceptable for the neighbours.
- Loss of light to neighbouring properties.
- The development will cause overcrowding to the house No.33, the balcony to the front would be totally hidden by a ugly wall and the amenities to the rear of No.33.
- Loss of privacy to neighbouring properties.
- Concern about late night use and impact on neighbour amenity.
- The plant would lead to a major lack of privacy for the terrace we have recently been granted planning permission to build.
- The school already makes lots of noise with whistles and microphones.
- The building should be set back 3m to protect amenity.

**Officer response:** Amenity is discussed in section 4.

#### **Transport**

- Street is overcrowded at school run times morning, midday and afternoon.
- School run times are a nightmare for Inverness Street.
- It is impossible to leave my apartment when the street is busy, road safety is at stake. It is dangerous to leave unattended cars in a double row three times in the last two years.
- The development will add strain to the current parking conditions on Inverness Street.
- Even one more child would not be acceptable as Inverness Street is already overwhelmed by cars, pedestrians, buggies and scooters at school run times.
- Concern where the 15 cars that would park on site would be located.
- I cannot stress too strongly the overwhelming case for closing this part of Inverness Street as the northern end is closed due to the level and speed of traffic.
- Car capped restrictions should be used to preserved the resident bays.
- The design should provide a drop off space for parent's cars and consider using the Arlington Road entrance again.
- Scooters are already a problem at the school additional 40 pupils will exacerbate the problem; the children scoot straight onto the street and run over pedestrian's feet.
- The Travel Plan suggests there will be a small increase in car journeys, the loss of staff journeys will roughly compensate for the increase in parents arriving at school by car, but it ignores the difference between parents and staff. It is the parents that cause the problem.



- Hundreds of scooters, cars in double row unattended, buggies, bikes, cabs everywhere make the pavement impossible to use.
- Application is in breach of DP16.
- I believe 6-8 car parking spaces should be retained on site.
- People coming to the school don't travel in the same cars
- The number of children at the school should not expand, the situation is already dangerous because of unattended vehicles.

**Officer response:** *Transport is discussed in section 5.*

#### **Trees and Landscaping**

- There should be a green roof on the hall for ecological reasons and biodiversity; it would also act as soundproofing.
- The existing vineyard would be lost this is a disaster; it and the hedges should be preserved.
- More greenies should be added to the project.
- I am concerned that the tree at No.31 would be cut down.
- The tree should be preserved. It is a lovely natural asset of the site and the street.
- The birch is the only living tree in Inverness Street
- Inadequate attention has been paid to landscaping.

**Officer response:** *Please see section 7.*

#### **Other Issues**

- Overdevelopment of the land and is risky for everyone in case of fire in the centre of the site.
- The school has to take care of the residents which it hasn't during the application process.
- Would be interesting to know why the entrance on Arlington Road has had works paid by Camden but the application hasn't gone through.
- We are concerned about the new apartment at the corner of Parkway and Delancey Street and how this will worsen the traffic situation on Parkway.
- We would like an enforceable cap on the number of children at the school.
- I suspect the soil is polluted by the precedent activity on this land and should be analysed accordingly.
- During the pre-application discussion with the school they had stated they didn't want to increase the numbers, now the application says it will be expanding school number as feared.
- There would be a massive problem of reverberation and creating heat for 33 and 35 Inverness Street because of the sun on the roof of the hall.

**Officer response:** *Please see section 8.*

Following the re-consultation in October five objections were received, from residents who had objected to the first consultation. Please note only any new issues raised are summarised below:

- This application hasn't been handled with the professional care needed from the planning department for such a big application.
- The person in charge of the pre-application is no longer in employment with the Council. Ms Arbery has also left the Council, no follow up on this.
- It looks like the application has been granted before even starting.
- The application is a total fraud of more than 10 breaches of Camden Planning policies.
- Ms Carr is refusing to take any consideration of the objections.
- The revised scheme is even worse than the original, the building is even higher, larger at the back and the hall even more massive.
- We were refused permission to have a glass balustrade but when its time for business like a private school Ms Carr says hurrah. Why? Why 2 weights and 2 measures depending on if the application is from a French resident or an English business.
- Who cares about the sleep of a French family after all here in Camden isn't it: French bashing is pretended to be so fashionable these days in London with UKIP taking more and more power. The fact the Council would grant this type of

	<p>application with those dramatic consequences clearly known for our family is disrespectful, I would rather call it open xenophobia/discrimination.</p> <ul style="list-style-type: none"> <li>• The ground floor is a total joke and looks ugly and like a front shop of cheap quality.</li> <li>• Windows should be wood and not aluminium.</li> <li>• The brand/logo is massive.</li> <li>• The school is pressuring us to sign a Party Wall agreement since the beginning of the process.</li> <li>• Elsewhere in Camden new buildings have been completely in keeping with the surroundings – Downshire Hill, this should be the same here. This is industrial looking.</li> <li>• Object to only having 14 days to consider revised plans.</li> </ul> <p><i>Officer response:</i></p> <ul style="list-style-type: none"> <li>• <i>For response to design comments please see section 3 and for response on other matter please see section 8.</i></li> </ul>
<p><b>CAAC comments:</b></p>	<p><b>Camden Town CAAC</b> have objected to the original plans on the following grounds:</p> <ul style="list-style-type: none"> <li>• We feel the proposal is poorly designed and not in keeping with the quality of the buildings in Inverness Street.</li> <li>• The first and second stories are crudely designed, we do not object to the modern design by feel it should be re-designed in a simpler way.</li> <li>• The cornice does not line up with either the cornice of Camden House or the balcony of No.33.</li> <li>• The plant house is not centred on the building, is very unsatisfactory feature and although set back will be visible from the higher stories of the building opposite.</li> <li>• Effect outlook to No.33 as well as daylight.</li> <li>• We suggest the proposed building facing Inverness Street could be set back, in line with the recessed side elevation of No.33.</li> <li>• Concerned about the impact of doubling the numbers of children at the school due to impact on traffic.</li> </ul> <p><b>Camden Town CAAC</b> have objected to the revised plans on the following grounds:</p> <ul style="list-style-type: none"> <li>• The revised designs are still not acceptable and will need further revision.</li> <li>• One characteristic of the conservation area is the short street with a variety of different building types, sizes, ages and gaps in contrast to the regular nature of out listed residential terraces and commercial streets.</li> <li>• The Inverness Street elevation lacks compositional creativity.</li> <li>• The façade is commercial rather than educational and has dominant windows on the first and second floors suggesting residential but have no logical relationship with the window openings on nearby facades. The composition of the fenestration is questionable. The ground floor treatment could be a shop of tourist agency; it seems unfriendly and industrial in character.</li> <li>• Question the design decision to glaze directly in front of the solid walling of the refuse store, the composition is more out of scale with the streetscape than before.</li> <li>• Question the dominance of the plant room which is now higher than the original proposal. Although set back and probably not visible from the street it will be seen from the first floor windows of the opposite terrace.</li> <li>• The development removes the gap and reduces Camden House’s character and form as it was designed as a freestanding building. We feel the façade should be set further back to visually separate from Camden House.</li> <li>• The 1990s housing to the north of Inverness Street successfully continued the original 19<sup>th</sup> Century terrace by using modern forms with small door and window openings.</li> <li>• A more discrete and sensitive design is needed, one that expresses the character of a school instead of a commercial building and that preserves and enhances the characteristics existing in the short street.</li> </ul> <p><i>Officer comment:</i></p> <ul style="list-style-type: none"> <li>• <i>Issues of design have been assessed with section 3 of the report below.</i></li> </ul>

## Site Description

This site occupies a back-land area to the south of Inverness Street, where the main school building is located, with a frontage building to Arlington Road. A large surface carpark currently occupies the area fronting onto Inverness Street, with an unattractive white steel railing forming an entrance to the school.

The site is located in the Camden Town Conservation Area and contains no listed buildings. The building immediately to the south west on Inverness Street is a non-listed 4 storey townhouse appearing to date from the early to mid 19<sup>th</sup> century. The Conservation Area Statement describes Inverness Street as *“...characterised by modest-scaled, predominantly three-storey buildings. They contain a mix of uses, predominantly commercial in character.”*

## Relevant History

There are no relevant planning applications relating to the site.

## Relevant policies

### The National Planning Policy Framework (2012)

### The London Plan (2011)

### Local Development Framework Core Strategy

- CS1 (Distribution of growth)
- CS4 (Areas of more limited change)
- CS5 (Managing the impact of growth and development)
- CS14 (Promoting high quality places and conserving our heritage)

### Local Development Framework Development Policies

- DP15 (Community and leisure uses)
- DP22 (Promoting sustainable design and construction)
- DP24 (Securing high quality design)
- DP25 (Conserving Camden's heritage)
- DP26 (Managing the impact of development on occupiers and neighbours)

### Supplementary Planning Guidance (2010)

- CPG1 (Design)
- CPG6 (Amenity)

## Assessment

### 1. Revisions

1.1 During the course of the application, amendments were made to the application which include the following:

- Alterations to façade as it addresses Inverness Street, including amendments to the windows, ground floor treatment and proportions of the building.
- The height of the building was increased by 0.5m.
- Enclosing the rear flues within an extension rather than having them exposed.
- The passive vents at roof levels were amended to show true size, initial plans had shown incorrectly.

### 2. Proposal

2.1 Planning permission is sought for the erection of a part 1 part 3 storey building comprising assembly hall, classrooms, and roof plant; alterations to existing boundary treatment and associated hard and soft landscaping.

2.2 The development would comprise of two linked structures. Facing Inverness Street is a 3 storey block that effectively infills the gap between No.33 Inverness Street and Camden House on the corner of Arlington Road. This contains a music/meeting room at ground floor level and classroom space to the upper floors. Access into the site would be retained from Inverness Street by way of a passage which the building would over-sail. At roof level would be a plant room set back 6.4m from the front elevation. The second element of the development is a single storey assembly hall located directly behind the frontage block. Both proposals are located on the existing open car-park which is visible from Inverness Street.

2.3 The building would be constructed in London stock bricks, with powder-coated aluminium louvres and windows. At ground floor level fronting Inverness Street the access way would be secured via metal gates. Adjacent to the entrance is full height glazed curtain wall system. It is likely there would be some manifestation on the glazing, the detail of which is to be agreed. Above the ground floor would be a fascia made of Portland stone with the School's name engraved.

### 3. Design

3.1 With regard to the principle of the proposed development, the 1875 OS map shows a building in the position of the proposed structure, according with the front building line of no.33, but with what was probably a projecting porch. A small alleyway can be seen to the north which runs to the rear of the buildings that fronted Arlington Road. Between 1894 and 1914 Camden House was constructed to the north, retaining the narrow historic alleyway. By 1969 there is still a structure in place on the site however it is not clear if this replaced the earlier house, nor at what date this building was demolished and the car-park established.

3.2 What is apparent however is that the current gap in the townscape (besides for the alleyway to the south of Camden House) is not a historic feature. The existing car-park itself makes no contribution to the character and appearance of the conservation area although it is acknowledged that its openness does allow views through to the attractive Victorian school building beyond. Nonetheless, the reinstatement of a frontage building is considered to repair the townscape in an appropriate manner, that respects and reflects the historic layout of the area. In light of this no objection is raised on grounds of the principle of the proposal.

3.3 This scheme has been the subject of extensive discussions both at pre-application stage and during the course of the application in an effort to improve the design of the frontage block. The proposed height is considered acceptable and will broadly align with the height of no.33 to the south. The building is far lower than Camden House which is a prominent corner property.

3.4 A simple contemporary approach has been taken. The frontage building is constructed of brickwork with a simple repetitious pattern of openings that reflect the traditional pattern of surrounding buildings. The proportions of the openings, number of bays and floor to ceiling heights have been modified so that the building

sits comfortably within its context – it was not considered practical nor appropriate in this location to attempt to line through with the storey heights of adjacent buildings given the differences between them in terms of use, scale, age and architectural style.

3.5 The windows openings are to be lined with a powder coated metal fin which will project 200mm from the face of the building creating deep window reveals and adding interest and articulation to the façade. A small louvered panel has been incorporated into the upper section of the 1<sup>st</sup> floor windows. The principle of this was the subject of lengthy negotiation in an attempt to ensure that this feature did not appear unnecessarily utilitarian. The applicant's justification regarding the need for these items in modern school design has been accepted and they are not considered to unduly harm the appearance of the front façade.

3.6 To the rear the single storey hall structure is also to be constructed of brick. This structure has an interesting two planed roof profile with clerestory lights. The proposal to the rear is modest in terms of its height, scale and design and will not be readily visible from outside the site.

3.7 At roof level on the frontage building a plant room is proposed. This again was the subject of lengthy discussion due to officer concerns regarding the possible visual impact of this element. Visuals have been submitted which demonstrate that this will not appear in public realm views from Inverness Street. It is accepted that the plant room will be visible from some upper storey vantage points from surrounding buildings but it was not considered that a reason for refusal on this basis was sustainable. The plant room is setback considerably from the front elevation and the flat elevation drawings do not give an accurate depiction of how the plant will appear in 3 dimensions. Two passivents are proposed for the main roof which will ventilate the classrooms below. These have been reduced in height from the original proposal and given the height of the parapet and their position on the roof are not considered to harm the profile of the building.

3.8 A stone band has been incorporated at ground floor level with the name of the school inscribed. Gates will be inserted into the arched opening which forms an entrance to the school. Details of these are recommended to be dealt with by way of condition. A mirrored film was originally proposed for the ground floor windows however this was felt to unduly deaden the frontage. A manifestation in this location has been agreed which will allow for more visual permeability and interest at street level, details of this are recommended to be secured via condition.

3.9 The rear elevation is a simple composition of brickwork with contemporary glazing. Initially two large externally located flues were proposed which ran the full height of the rear elevation and entered the roof top plant room. These were not considered acceptable. A revised wide brick element has now been proposed, which houses the flues and incorporates the staircase glazing. This is considered an acceptable solution to the issues.

3.10 The building to the south at no.33 has an unusual setback at 1<sup>st</sup> and 2<sup>nd</sup> floor level. It was discussed whether it was appropriate to set the front building line back to follow this, however it was considered that this would create a rather odd stepped effect which could not be comfortably accommodated given the modest width of the frontage. Furthermore, the historic maps clearly show a building that aligns with no.33. The approach taken is considered sympathetic in that it aligns with Camden House and the ground floor frontage of no.33, leaving the recessed portion of no.33 to maintain a subordinate appearance within the townscape.

3.11 It is considered the revised proposals are a vast improvement over what was originally submitted to the Council. Officers have worked hard to improve the appearance of the frontage façade, refine materials and ensure that any servicing will not harm the overall quality of the design. It is considered that the revisions demonstrate that the development would preserve and enhance the character and appearance of the Camden Town Conservation Area.

3.12 Conditions are recommended to be required to cover samples of all facing materials, large scale details of all new fenestration including the openings within which it will be located. Details of the manifestation proposed for the ground floor window and the proposed entrance gates are also required.

#### **4. Amenity**

##### Daylight and Sunlight

4.1 The applicant has provided a daylight and sunlight report. The takes into account the impact on Nos.33, 34A, 34B, 36A and 36B Inverness Street all of which are in residential use and Camden House which is a hostel. Officers agree this is a sufficient number of properties to assess. The site is bounded to the south west by Clearwater Yard, however this is not in residential use.

4.2 With regard to daylight, the report demonstrates that all windows within Nos.33, 34A, 34B, 36A and 36B Inverness Street will achieve a Vertical Sky Component (VSC) of at least 27% or 0.8 times the former value, in accordance with the BRE guidelines. Therefore all windows within these properties would continue to receive good levels of light as a result of the development. The report has also noted the daylight distribution to the windows of neighbouring buildings, however given all windows pass the VSC test the applicant is not required to undertake further tests.

4.3 In respect of Camden House, all windows serve bedrooms as this building is a Hostel. All rooms with the exception of one would achieve a VSC of at least 27% or 0.8 times the former value. The one window which would fail would pass the daylight distribution test as it would have a significant portion or at least 0.8 times the existing area in front of the no sky line. As such all rooms within Camden House would continue to receive good levels of daylight.

4.4 In terms of sunlight, only windows located within 90 degrees due south should be assessed. The BRE guidelines expect windows to achieve Annual Probable Sunlight Hours (APSH) of 25%, including at least 5% during the windows months. The guidelines also note that bedrooms are less important than living rooms.

4.5 The applicants report demonstrates that all windows within Nos.33, 34A, 34B, 36A and 36B Inverness Street and Camden House would continue to receive a sufficient level of sunlight and would be largely unaffected by the proposed development.

4.6 In light of the above, no objection is raised in regard to daylight and sunlight and all relevant neighbouring properties would continue to receive sufficient levels of daylight and sunlight as a result of the proposed development.

#### Outlook

4.7 With regard to the neighbours on the opposing side of Inverness Street, given the context of the neighbouring building the proposed development is not considered to lead to a loss of outlook for neighbouring residents.

4.8 In respect of the neighbouring property at No.33 Inverness Street, this building neighbours the application site, to the front is a terrace at first floor level, to the rear is a three storey element which sits lower than the main building. There are two rear windows within the three storey element, one at first floor which serves a utility room and one at second floor which serves a shower room. Of the remaining windows to the rear of this property, those at first floor service a staircase and reception room, there is also a terrace to the rear at first floor level. To the second and third floors the windows serve a staircase and bedroom. This internal arrangement has been taken from plans submitted by the occupier of No.33 for an application earlier this year (Ref: 2014/0170/P).

4.9 With respect of the impact on their front terrace, the proposed development would project 1.1m beyond the front elevation of No.33 at the point of the terrace, the projection at this point would be at an angle away from this neighbouring property. It is considered this degree of projection in front of the window would not result in a significant loss of outlook to the front windows located either first or second floor of No.33.

4.10 In regard to the rear windows, given the two windows closest to the proposed development serve a utility room and a shower room, these are not habitable rooms, and as such the views from these windows would not impact on the amenity of the neighbouring resident. Given the siting of the development in relation to this neighbouring property, at first floor level the building would angle away from No.33 and would not extend along the boundary with this neighbour. It is considered that the windows to the rear of No.33 would not experience a loss of outlook that would warrant refusing planning permission in this instance.

4.11 With regard to Camden House, the development would extend 5m beyond the rear elevation of Camden House. Given the relationship of the windows to the rear of Camden House with the proposed development it is considered the proposal would not lead to a loss of outlook enjoyed by the occupiers of Camden House.

#### Privacy

4.12 With regard to privacy, there would be no windows that would directly overlook neighbouring windows; as such it is considered the development would not lead to loss of privacy to neighbouring residents.

#### Noise

4.13 The development would include plant located within a plant room at roof level. This would be within a brick enclosure. Neighbours have raised concern in respect of noise levels as a result of this plant. Some neighbours have also stated the plant should be within the building. Having it within a brick enclosure does incorporate the plant into the building. Furthermore the amendments received included the enclosure of the flues at the rear elevation.

4.14 The applicant has provided a noise assessment in support of the application. As assessment was carried out from 11:00 on 22 October to 10:00 on 25<sup>th</sup> October 2013 to understand the existing background levels at the site to be able to then set the plant levels to ensure compliance with DP28. Furthermore to ensure neighbour amenity is safeguarded a condition is recommended to ensure noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

4.15 Neighbours have expressed concern with regard to the possibility of using the hall out of school hours. The Council would support the use of the hall outside school hours as this would be a valuable community facility that could be used by local residents. However the Council would agree that there is a need to limit the hours of use and as such a condition is recommended that it shall not be used after 10pm Monday to Friday, 9pm on Saturdays and 8pm on Sundays and bank holidays, to safeguard neighbour amenity.

4.16 With regard to soundproofing of the hall, the development would have to be built out in accordance with building regulations which would require a level of noise protection. It is considered this would sufficient for the proposed hall.

### **5 Transport**

5.1 The application site is located within an area with a PTAL of 6b with excellent access to public transport, the site is also within Controlled Parking Zone(CPZ) CAF.

#### Car Parking

5.2 As existing there are 15 car parking spaces on site. The proposed development would be in the location of the existing car parking spaces therefore all but one space would be removed. The retained space would be allocated as a disabled space. The removal of 14 car parking spaces on site is welcomed by the Council. Given the site is within an area of such a high PTAL it is noted within the Transport Statement and Travel Plan that members of staff and visitors will visit the site via public transport. As the site is within a CPZ which prevents parking without a permit between the hours of 08:30 and 18:30, which would be the main operation times of the school, it is unlikely the parking which is accommodated on site would be pushed onto the street as a result of the development. As such no objection is raised with regard to the loss of the car parking which is considered to contribute towards sustainable modes of travel.

#### Cycle Parking

5.3 At present there are 21 cycle parking spaces on site. The proposed development would provide an additional 1 space. This is in accordance with the requirements of the Camden Local Development Framework.

The usage of the existing spaces was surveyed within the school and it was found that 6 pupils and 4 staff cycle, this demand is below what is being provided, however with the loss of the car parking spaces the demand may increase, therefore the provision of 22 spaces would be sufficient to address the potential increased demand of the site.

### Travel Plan

5.4 The school has an existing Travel Plan which will continue to be updated annually in accordance with the TfL STARS system. The Travel Plan will be secured via Section 106 legal agreement to ensure trips to the site are managed effectively. The Travel Plan has been reviewed by the Council's Travel Plan Coordinator who raises no objections to the processes proposed within the Travel Plan to manage trips to and from the site.

### Highways Contribution

5.5 The proposal includes works adjacent to the street, as such the footway and the vehicular crossover adjacent to the site are likely to be damaged as a result of the proposed works. The footway and the vehicular crossover would therefore need to be repaved following completion of the works as supported by DP21. The Council would require a financial contribution to cover the costs of such highway works. This would be secured by a Section 106 Agreement.

### Construction Management Plan

5.6 Due to the nature of the construction works and surrounding area it would be necessary to secure a Construction Management Plan via a Section 106 legal agreement. The aim of the plan is to minimise disruption to the transport network, pedestrian safety and any disruption from noise, dust and general construction works in.

## **6. Sustainability**

6.1 The applicant has provided a sustainability statement which outlines how the development would incorporate sustainable design and construction. Such measures would include energy efficient heating system, good building fabrics to improve efficiency, natural ventilation, energy efficient lighting and water efficient fittings. Such measures will reduce the over energy consumption of the building and therefore a reduction in the carbon emissions of the building. As such it is considered the development would adhere to the objectives of Policy DP22, to ensure the development meets the requirements of DP22 .

## **7 Trees**

7.1 The application would involve the removal of a tree currently located adjacent to the boundary with Inverness Street, the applicant has stated that they would plant a replacement tree within the site to mitigate the loss of the existing tree. The Council's Trees officer has reviewed the tree in question which is a Silver Birch considered to be between 5-10 years old. No objection is raised to its removal subject to a replacement tree being planted. A condition is recommended to be used to secure details of a replacement tree to include its location and species.

## **8 Objections, consultation and other matters**

8.1 In response to the objections raised with regard to the handling of the application officers would make the following points:

- As per the Council's Community Engagement procedure, we are only obliged to notify properties directly adjoining the application site on planning applications, not the entire street. In this application the Council consulted further than the directly adjoining neighbours but it did not consult every resident within Inverness Street. A site notice was displayed outside the application site and a notice was advertised in the Camden New Journal on 5<sup>th</sup> June 2014.
- When the application was validated one of the directly adjoining neighbours No.33 was omitted from the consultation in error, this was rectified one week after the initial consultation letters were sent out. This resident was given the full 21 day consultation period. They have been notified of the further two consultations on the application.



- When the application was validated the OS map plotted on the Council's website was incorrect. This was rectified and neighbours were re-consulted about the development with the correct OS map.
- The school undertook pre-application discussions with local residents, as is noted in a number of the objection letters.
- When the Council sends letters to residents to notify them of applications they are sent to owner/occupier as the planning department does not keep records of all the residents names or nationalities. No one has been discriminated against in the handling of this application on grounds of their nationality.
- The application at No.33 is wholly different from this application and cannot be assessed in the same manner.
- There has been no discrimination in relation to nationality during the assessment of this application. The opinion of any interested party is noted above and taken into consideration in the assessment below.
- Signing of Party Wall agreements are civil matters the Council does not get involved.
- The planning application has been handled with a great level of care, with procedure and assessment against policies as would be expected for an application of this nature.
- The fact the officer who gave pre-application advice and Ms Arbery have now left the Council is not related to this application.
- All objections have been noted above and addressed in the relevant sections below.
- It is standard procedure when revisions have been accepted if considered necessary to give neighbours 14 days to make further comments on the proposal.
- The school predict that the number of children at the school will increase by 47 between now and 2018, it is considered such an increase would not cause harm to the surrounding area.

## **9 Conclusion**

9.1 It is considered that the proposed works would be an acceptable form of development that would accord with the relevant national and local policies of the Local Development Framework and as such planning permission is recommended to be granted.

**10 Recommendation:** Grant conditional permission subject to Section 106 legal agreement

## **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 3<sup>rd</sup> November 2014. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'**

Christopher Wickham Associates  
35 Highgate High Street  
London  
N6 5JTApplication Ref: **2014/3117/P**

30 October 2014

Dear Sir/Madam

**DRAFT**  
**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**The Cavendish School  
31 Inverness Street  
London  
NW1 7HB**

Proposal:

Erection of part 1 part 3 storey building comprising assembly hall, classrooms, and roof plant; alterations to existing boundary treatment and associated hard and soft landscaping.

Drawing Nos: 19177/1, 2684 S010, 2684 A011, 2684 B210, 2684 B211, 2684 B212, 2684 B213, 2684 B214, 2684 B260, 2684 B261, 2684 B262, 2684 B263, 2684 B270, 2684 B271, 2684 B272, 2684 B273, Site Noise Survey and Acoustic Feasibility Study by Applied Acoustic Design dated 05 November 2013, Acoustic Stage C Report by Applied Acoustic Design dated 31 January 2014, Daylight and Sunlight report by CHP Surveyors Limited dated 30th April 2014 and Transport Statement by Mayer Brown dated August 2014.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three 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 development hereby permitted shall be carried out in accordance with the following approved plans: 19177/1, 2684 S010, 2684 A011, 2684 B210, 2684 B211, 2684 B212, 2684 B213, 2684 B214, 2684 B260, 2684 B261, 2684 B262, 2684 B263, 2684 B270, 2684 B271, 2684 B272, 2684 B273, Site Noise Survey and Acoustic Feasibility Study by Applied Acoustic Design dated 05 November 2013, Acoustic Stage C Report by Applied Acoustic Design dated 31 January 2014, Daylight and Sunlight report by CHP Surveyors Limited dated 30th April 2014 and Transport Statement by Mayer Brown dated August 2014.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Plan, elevation and section drawings, including, cornice, glazing panels and manifestation on glazing of the ground floor elevation facing Inverness Street;

c) Manufacturer's specification details of all facing materials to be submitted to the Local Planning Authority and samples of those materials to be provided on site.

d) A sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 6 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 7 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, prior to the occupation for the permitted use 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 local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policy CS14,CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 9 The hall of the school extension hereby permitted shall not be used outside the following times 07:00 to 22:00 Mondays to Saturdays and 10:00 to 21:00 Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 10 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 11 Automatic time clocks shall be fitted to the plant equipment within the plant room, prior to commencement of the use of the hereby approved school extension, to ensure that the plant/equipment does not operate between 22:30hrs and 07:00hrs. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 12 Prior to the commencement of use of the new school extension one additional cycle parking space shall be provided on site adjacent to the existing cycle storage. The facility shall be provided in full prior to the commencement of use of the new school and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

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. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid

when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Culture and Environment Directorate

**DRAFT**

**DECISION**