



**32 Lawn Road, Camden**  
**Planning Application by**  
**Fairview Estates (Housing) Ltd**

**Planning Statement**

**October 2014**

**LAWN RD NW.3.**





**Nathaniel Lichfield  
& Partners**

Planning. Design. Economics.

**32 Lawn Road, Camden**

**Planning Statement**

Fairview New Homes

31 October 2014

13974/SSL/NF

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## 1.0 Introduction

- 1.1 This Planning Statement has been prepared by Nathaniel Lichfield & Partners (NLP) on behalf of Fairview Estates (Housing) Ltd ('Fairview'). It accompanies an application for full planning permission for a residential development at 32 Lawn Road, Camden, NW3.
- 1.2 The site is located within the Belsize Park/Gospel Oak area of NW3, between Lawn Road to the west and Upper Park Road to the east, south of the junction with Fleet Road.
- 1.3 The site covers approximately 0.25ha (0.27ha within the wider application boundary) and currently contains two existing buildings. These comprise a former car park building, now utilised as seven (part vacant) commercial units with undercroft car parking, and a former launderette, most recently used as a community centre.
- 1.4 The proposed development comprises 73 apartments, of mixed size and tenure, set within landscaped grounds. This includes a central landscaped courtyard fronting Upper Park Road and gardens along the Lawn Road frontage, with new trees lining the perimeter of the site.
- 1.5 Until earlier this year, the London Borough of Camden (LBC) was the freehold owner of the site. In 2012, the Council decided to sell the site as part of its Community Investment Programme, intended to raise funds for investment in Camden's schools, affordable homes and community facilities through the sale of underutilised Council assets. In March 2014, the Council agreed the sale of the site to Fairview for redevelopment for housing.
- 1.6 The Statement considers and assesses the proposed development against relevant policies in the statutory development plan, as well as in supplementary planning guidance, and against the policies contained in the National Planning Policy Framework. It draws upon and should be read with other parts of the planning application submission, to which the reader may refer - a full schedule of these documents is provided in the covering letter to the planning application.
- 1.7 This Statement also provides relevant background to the site, and describes in detail the proposed development. Appendix 1 also incorporates a list of draft Heads of Terms for a s106 Agreement expected to be agreed in connection with the development.
- 1.8 It is noted that the proposed development has been subject to considerable pre-application discussion and negotiation with officers at the LBC. As detailed in section 3.0, the proposals have also been discussed with numerous key interest groups - including elected representatives of the Council, the local community, Tenants and Residents groups and Design Council CABE. The submitted scheme is a reflection of the discussions held and the comments made throughout the course of that engagement process.

## 2.0 **Background and Context**

2.1 This section provides background information about Fairview and its interest in the application site insofar as it is key to the future development of the site. It also provides a short description of the site and the surrounding area.

### **Background**

#### **32 Lawn Road and the Community Investment Programme**

2.2 Until earlier this year, the LBC was the freehold owner of the application site, comprising a former car park building now utilised as seven commercial units with undercroft car parking, and a former launderette, most recently used as a community centre. On 17 March 2014, the Council agreed the sale of the site to Fairview for redevelopment for a housing-led scheme.

2.3 The sale followed a series of decisions by the Council to dispose of the site to raise funds for its Community Investment Programme (CIP).

2.4 CIP is defined by the Council as follows<sup>1</sup>:

*“1.1 The Community Investment Programme (CIP) was agreed by Cabinet in December 2010 and is a long-term programme bringing together a range of work considering how best to use the Council’s assets to improve, shape and transform key places and services within Camden, whilst simultaneously addressing a critical capital funding gap.*

*1.2 The CIP will provide additional investment for schools, Council homes and community facilities, also helping to significantly reduce ongoing revenue maintenance costs of ageing assets.*

*1.3 Alongside this investment, the programme will also deliver a significant number of new homes including affordable social and shared ownership housing and will provide opportunities to improve the environment and places in which the Council’s assets are located.”*

2.5 To secure this funding, it states that the *“disposal of surplus properties is vital to generate the necessary capital receipts to fund the programme and capital priorities”*.

2.6 A report to Cabinet in July 2011 identified the development of the 32 Lawn Road site as key to *“unlocking funding and development potential”* and to enabling regeneration plans for Gospel Oak to be progressed. At this point, the Council identified the need to vacate the pre-fabricated community building (formerly a launderette) on the site to facilitate disposal.

2.7 Subsequently, in April 2012, the site was presented to the Council’s Cabinet as an *“opportunity to generate a capital receipt from an underutilised asset to help fund the wider programme which in turn will assist in enabling the wider*

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<sup>1</sup> Cabinet report, 18 April 2012

*regeneration currently being discussed in Gospel Oak.*” The site was also defined as “pivotal” to providing investment in Gospel Oak regeneration and in the wider CIP programme, which would also secure investment in local schools.

- 2.8 Cabinet agreed that the site had become surplus to the Council’s requirements and that its sale should be progressed and that, in order to maximise the receipt, the Cabinet report records that *“it is intended to go forward on the basis that the sale for development is without affordable housing. A planning statement would be supplied in the sales particulars for the site that would make reference to decisions taken by Cabinet in setting out the likely planning requirements for the site, including the test of viability of a scheme in relation to price paid for the site”*.
- 2.9 The commercial leases would be transferred to the new owner, whilst the community building and car parking would be sold with vacant possession with funds from the sale used to re-provide a tenant meeting facility off-site. At that time, the Cabinet report confirmed that discussions were being advanced between the Council and the Queen’s Crescent Community Association (the ‘QCCA’), the operator of the community building, on their accommodation requirements.
- 2.10 In July 2012, the Council approved the relocation of QCCA community services from the Lawn Road site to the Weedington Road Centre, to enable the re-provision of similar community facilities nearby and to allow vacant possession of the community building.
- 2.11 The site was transferred to Fairview in Spring 2014, with the community building and car parking areas vacated (the QCCA’s use having been relocated), and with the commercial units part-occupied. On recommending the sale, the Council’s report to the Director of Finance notes the substantial payment that would be made available to CIP projects. It goes on to state that: *“The nearby residents and the community are expected to benefit from the proposed high specification development and amenities that will replace the existing run-down, underutilised site. The existing mosaic will be sympathetically relocated in consultation with the community. Garnett House residents will be re-provided with a new community garden, where they will be consulted on its design, working with a landscape architect. They will benefit from a much improved emergency and fire brigade access to their own building and re-provision of parking spaces.”*

## **The application site and surrounding area**

### **The site**

- 2.12 The site is located within the Belsize Park/Gospel Oak area of NW3, to the east of Lawn Road and just south of its junction with Fleet Road. The site tapers to its northern end, with long frontages to Lawn Road to the west and Upper Park Road to the east. The northern boundary is defined by the junction



of Lawn Road with Fleet Road and a small area of open space with a large tree. The southern side of the site is formed by its boundary with Garnett House.

- 2.13 The application site covers approximately 0.25ha and currently contains two existing buildings. The former Fleet Community Centre is a small, single storey, flat roofed building, finished in brick. Part of the north elevation has a prominent colourful mosaic by a community artist, which will be retained and used on site.
- 2.14 The larger building, a former car park that may have served the adjacent 1960s housing estate, is a concrete framed, three-storey structure, with a ramped entrance off Lawn Road. The open sided undercroft (lower ground) contains a vacant car parking area. The first floor has been converted to create seven employment units, part occupied by a mix of office and light industrial use, with some units lying vacant. The brick sided roof has a concrete surface and is open to the elements. It has been used as a play pitch connected to the Community Centre, but has no markings to suggest such use and has been disused for some years.
- 2.15 The buildings are of no architectural merit and, with the exception of the mosaic, make no contribution to the appearance of the area. They are in a poor state of repair, with the main building now providing accommodation that is of poor and declining quality, and nearing the end of its useful life.
- 2.16 There are a number of trees along the site boundaries, of varying degrees of maturity and quality. These are detailed in the accompanying Arboricultural Development Statement.

### **Surrounding area**

- 2.17 The surrounding area is described in detail in the accompanying Design and Access Statement, and within the Urban Design Appraisal, both of which are submitted with the application and provide context to Fairview's development proposals.
- 2.18 In summary, the area surrounding the site comprises a mixture of periods, styles and heights of buildings, from the larger council estate buildings rising to the 15 storeys of Palgrave House and Cayford House that flank the site to its east and west, to the five-storey Garnett House to the south and the two-three storey Victorian terraces or interwar dwellings.
- 2.19 Aside from the employment units on site, the site lies in a predominately residential area.
- 2.20 To the north of the site is the small area of green open space referred to above, beyond which is the junction of Lawn Road and Fleet Road, marked by a prominent three-storey, black-painted public house - The Stag. At this point, Fleet Road contains a number of local shops and services, with Fleet Primary School to the east. Properties to the north of Fleet Road are predominantly three and four storey terraced.

- 2.21 The eastern boundary of the site is defined by Upper Park Road, a cul-de-sac that terminates at Palgrave House. Opposite the site at its north-eastern end is the 15-storey Palgrave House, which is a residential tower block which lies within 7m of the site boundary.
- 2.22 South of Palgrave House, directly east of the site, is a terrace of three-four storey houses backing onto Upper Park Road, and a block of four storey flats. These dwellings are within 15m of the site boundary.
- 2.23 To the south, the site boundary adjoins the courtyard of Garnett House, a five storey block of flats which is separated from the site by a fence line with trees planted along the edge of the courtyard. These flats are accessed from the courtyard space.
- 2.24 The western boundary of the site is defined by Lawn Road. Immediately to the west is Cayford House, a similar 15 storey tower block to Palgrave House. To the north west of the site, and south of The Stag, is an entrance to the Royal Free Hospital campus. The campus beyond contains a number of large modern hospital buildings, which provide a backdrop to the buildings on Lawn Road and Fleet Road. To the south of the hospital entrance is a distinctive two-storey Victorian building set back from Lawn Road behind railings, a garden and mature trees. Formerly part of the Royal Free Hospital, this is now an Education Centre.
- 2.25 To the south west of the site, and south of Cayford House, is Du Maurier House, which is a five storey block of flats, to the rear of which is Belsize Wood.
- 2.26 The application site is not within a Conservation Area (CA). It does however lie between two Conservation Areas (CAs): Parkhill and Upper Park CA; and the Mansfield CA. The Parkhill and Upper Park CA lies to the south of the site beyond Garnett House and Garnett Road and includes Belsize Wood to the rear of Du Maurier House. The 2011 Parkhill and Upper Park CA Appraisal and Management Strategy describes this area as a 19<sup>th</sup> Century London suburb with characteristic Italianate Victorian houses and modern interventions.
- 2.27 Mansfield Conservation Area lies to the north of the site, principally beyond Fleet Road, but also includes The Stag public house and the Education Centre. Mansfield CA is urban in character and is formed of three storey terrace streets with the houses set behind short boundary walls. The 2008 Mansfield Conservation Area Appraisal describes Fleet Road as a busy, one way road, mainly urban in character, which contains commercial premises and retail units mixed with residential properties.
- 2.28 There are no statutory or locally listed buildings within the site. There are various listed buildings within the vicinity of the site, most notably the Grade I Listed Isokon building to the south west - the 'white' concrete finished 1930's modernist block of flats designed by Wells Coates.

## **Accessibility**

- 2.29 There are footways around the perimeter of the site on Lawn Road and Upper Park Road, although formal footpaths are interrupted on west side of Upper Park Road adjacent to the site. There is presently an informal route through the site between the former Fleet Community Building and the car park. Although not an established right of way, this route comprises Council Estate land.
- 2.30 Existing vehicular access to and from the site is currently through two access points on Lawn Road and Upper Park Road.
- 2.31 The site is highly accessible, with a PTAL rating of 4-5 indicating 'Good' and 'Very Good' accessibility. The nearest underground station is within 400m of the site at Belsize Park. Hampstead Heath Railway Station is 460m distance from the site.
- 2.32 There are several existing bus routes, including 24, 46, and C11, operating on Fleet Road with bus stops within close walking distance (126m) of the site.
- 2.33 The site is within a Controlled Parking Zone.

## 3.0 Consultation

- 3.1 The consultation strategy and delivery is detailed in the accompanying Statement of Community Involvement, by Curtin&Co.
- 3.2 Since purchasing the site in March 2014, Fairview has undertaken an extensive consultation exercise, which is ongoing.
- 3.3 This has included numerous pre-application meetings with planning, design, transport and other specialist officers at the LBC.
- 3.4 The scheme has also been presented twice for design review at Design Council CABE on 18 June 2014 and 19 September 2014. CABE's response letters are incorporated within the Design and Access Statement.
- 3.5 Consultation with the local community and elected members has been a key focus for Fairview and meetings have been offered to all local ward councillors and tenants' and residents' associations, as well as to community groups. Meetings have been held with a number of local stakeholders, including the Lawn Road and Downside Residents' Association, the Queen's Crescent Community Association, and Garnett House Residents 'working group' (which continues to meet regularly). A meeting with representatives of Palgrave House is being held on 3 November 2014, following the establishment of a tenants' group at the start of October 2014.
- 3.6 Central to the engagement process has been two public exhibitions. The local community, including elected representatives, were invited to give their views on the evolving development at exhibitions on 26 July 2014 and 17 September 2014.
- 3.7 Approximately 6,500 leaflets notifying residents and key stakeholders of the exhibition were sent out for the first event, and 2,500 for the second, as well as posters placed in the local area and notices in the local newspapers. Direct letters were sent to all identified stakeholders, and those who provided their contact details following the initial exhibition, inviting them to the second event. Face-to-face contact was also made a week prior to the exhibition with the chairs of the Palgrave and Cayford House Residents' Association to inform and encourage their attendance.
- 3.8 Facilitated by the LBC, a Development Management Forum was held 21 July 2014 providing a more formal opportunity to hear about Fairview's plans for the site and to ask questions/make comment.
- 3.9 Details of the proposed development have also been available on a dedicated website - [www.FairviewLawnRoad.org.uk](http://www.FairviewLawnRoad.org.uk) - since July 2014. The presentation material from the two exhibitions has been available to view on his website. It has also offered an online feedback mechanism, providing the opportunity to comment on the proposals as they have evolved.

3.10 As well as face to face meetings with ward members, Fairview also briefed local councillors at a Developer Briefing on 18 September 2014, as facilitated by LBC.

### **Key feedback**

3.11 Consultation has shown that the vast majority of those consulted - officers, members and the community - are supportive of the principle of residential development on the site, and the positive impact this would have on the local area. Many are keen to see the existing buildings removed and replaced.

3.12 Council officers and CABI have had a substantive input in the evolution of the design, recommending at the outset that a more robust approach be adopted to understanding the site's context and how the development responds to this. As explained in the Design and Access Statement, following a detailed Urban Design Appraisal of the context, this led to a considerable reduction in the footprint and bulk of the building, creating a sleeker looking building, with greater setbacks from the street and at upper levels, and more space created for landscaping and planting. These discussions have also influenced the finer details of the design, which has led to greater articulation of the facades.

3.13 Detailed discussions have also been had with officers regarding the loss of the existing employment units, and the acceptability of this in policy terms. This has led to a detailed analysis of the suitability of the site for continued employment use, as detailed in the assessment section below (Section 6.0).

3.14 Comments from the community have focussed around the following aspects of the development:

- 1 Height and density of development
- 2 Quality of design
- 3 Amenity impacts (e.g. on sunlight, daylight, overlooking and privacy) and relationship, in particular, with Upper Park Road
- 4 Loss of community use
- 5 Loss of street trees and contribution to 'greenness' of the area
- 6 Impact on parking
- 7 Provision for relocating the mosaic
- 8 Construction impacts

3.15 This feedback has helped shape the final proposals and the analysis of impacts. The response to these issues is addressed in the Assessment at Section 6.0.

## 4.0 **The proposed development**

4.1 This section provides a summary of the main components of the proposed development, as detailed in the application drawings and the Design and Access Statement (DAS).

4.2 The application seeks permission to demolish the existing buildings and to redevelop the site with a residential building, containing 73 units, along with associated amenity space and landscaping works.

4.3 The design approach and rationale is explained in the DAS.

### **Form and scale**

4.4 It is proposed that the development will comprise a predominately five storey building, with two attic storeys progressively set back from the main elevations.

4.5 The proposed building is broadly 'L' shaped. The north-south element would extend southwards from a curved 'prow', following the curved line of the Lawn Road frontage. The east-west section would then run between Lawn and Upper Park Roads and create a new interface with Garnett House. As can be seen from the proposed floor plans, the sixth floor attic storey lies predominantly on the north-south Lawn Road wing, with one section (comprising one 1-bed unit) on the south east corner fronting Upper Park Road. The limited seventh floor attic storey is set centrally within the Lawn Road wing.

4.6 The remainder of the site would be landscaped, with gardens fronting Lawn Road and a substantial landscaped 'courtyard' garden fronting Upper Park Road.

4.7 The Lawn Road elevation would be punctuated with three circulation cores along its length, and interspersed with large, deep-set window openings. The frontage would be set back 3.5 metres from the edge of the pavement providing space for gardens and landscaping.

4.8 The southern elevation mirrors the arrangement of Garnett House, the central elevation set between two wings creating a new courtyard space with Garnett House. The height line of the building at this end also reflects the height of Garnett House, with a set-back sixth floor attic storey at the eastern and western sides.

4.9 The southern wing of the building fronts onto Upper Park Road, with the existing mosaic re-located on this façade. Moving north, the site opens up into a wide semi-natural landscaped space, set within the angle of the building and overlooked by the apartments on the southern and western sides of the site.

4.10 The roof areas would be utilised for a combination of private terraces and photovoltaic panels.

- 4.11 It is proposed that the building will accommodate approximately 6095m<sup>2</sup> (GIA) of floorspace.

### **Detailing and Materials**

- 4.12 The main elevations would be of light-coloured brick, with the attic storeys finished in white acrylic render.
- 4.13 There is a consistent approach to detailing throughout the building. Elevations will be articulated with a regular rhythm of large window openings with deep reveals. Bronze coloured window frames and balconies, and metal cladding to the stair cores will complete the palette of materials.

### **Mix**

- 4.14 It is proposed the new building will provide for the following mix of unit size and tenures, within the overall total of 73 new dwellings.

Unit Size	Numbers
Studio	2
1-Bed	23
2-Bed	33
3-Bed	15
<b>Total</b>	<b>73</b>

- 4.15 The development will contain 211 habitable rooms.
- 4.16 As detailed in the DAS, all dwellings would be designed to Lifetime Homes standards. Seven of the units will be designed to be adaptable for Wheelchair Homes. Detailed flat layouts are provided to illustrate how these standards are being met.

### **Density**

- 4.17 The proposed development will have a density of 292 units per hectare, and 844 habitable rooms per hectare.

### **Landscaping**

- 4.18 The development would be bound by landscaping elements on all sides with a line of new trees curving around the site boundary, under-planted with low hedgerows.
- 4.19 At the centre of the development, the design for the courtyard garden combines semi-natural landscape and lawns, with winding walkways, seating and a doorstep play area for the 'Under 5s'. It will create a secure and private landscape for residents, set amongst bio-diverse and seasonal vegetation.
- 4.20 The building is set back from the edge of Lawn Road creating the space for gardens and planting, set behind a low hedgerow and a line of new trees,

replacing those that will be lost as a result of the development. High level planting will create a green edge to the development at upper levels.

- 4.21 A new garden would be created at the interface with Garnett House.

### **Access and Servicing**

- 4.22 Residents' access to the building would be via four 'main' entrances and circulation cores, three on Lawn Road and one on Upper Park Road. There would be other secondary entrances to individual apartments around the building, including direct ground floor access to one of the wheelchair units.

- 4.23 All refuse storage would be within the building, at ground floor level.

- 4.24 Servicing would be largely undertaken from the street, and principally via Upper Park Road as detailed in the Service Management Plan in the Transport Statement.

### **Parking provision**

- 4.25 The development is being brought forward as a car-free scheme with no general car parking spaces provided. Provision for four on-street disabled parking bays is proposed, with three spaces created on Lawn Road and one on Upper Park Road adjacent to the entrance.

- 4.26 For cycle storage, the scheme will provide 1 cycle space for one and two bed units, and two spaces for three bed units (all internal within the building), plus two courtyard spaces for visitors. There will be a total of 88 spaces within the building, plus the two external visitor spaces.



## 5.0 **Planning Policy and Guidance**

5.1 This section identifies key relevant planning policy and guidance at a national and local level relevant to this proposal. The proposed development is then assessed against these policies in Section 6.

### **Policy Context**

5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004, states that:

*“If regard is to be had to the development plan for the purpose of any determination to be made under the planning acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”*

5.3 The statutory development plan for the site comprises the London Plan (2011) as amended in 2013, London Borough of Camden Core Strategy 2010-2025 (adopted in 2010) and the Camden Development Policies DPD 2010-2025 (adopted in 2010).

5.4 Local Planning Authorities are required to review their plans to ensure consistency with the National Planning Policy Framework (NPPF). The NPPF advises that for the purpose of decision taking, policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF (para 2.11). Where there is inconsistency, the NPPF should prevail.

### **Site Designation and Relevant Planning Policies**

5.5 The site has no specific land use allocation on the Core Strategy Proposals Map.

5.6 Other designations surrounding the site which are identified on the Proposals Map are:

- 1 Mansfield Conservation Area is to the north of the site, predominantly beyond Fleet Road, but with a ‘finger’ of the Conservation Area incorporating the Stag Public House and the Education Centre.
- 2 Parkhill and Upper Park Conservation Area is to the south of the site, beyond Garnett Road and wrapping round the rear of Du Maurier House.
- 3 Belsize Wood to the south west is a designated Public Open Space

5.7 There are no statutory or locally listed buildings on the site. The Grade I Listed Isokon building lies some 50 metres to the south west of the site, beyond Garnett House and the dense trees of Belsize Wood. There are other Listed Buildings further afield including the Barn Field residences on Upper Park Road and the Dunboyne Road Estate, both of which are Grade II listed. The site does not lie in the immediate setting of the listed buildings, but would appear in some medium range views of the site from Barn Field.

5.8 The site is within Flood Zone 1, where there is a low probability of flooding occurring. The site is within a hydrogeological constraint area due to its slope stability and ground water flow.

5.9 Having regard to the statutory development plan and site designations identified above, and the existing circumstances and context of the site, we consider that the planning policies below are relevant to this application.

**Core Strategy 2010-2025:**

- CS1 Distribution of Growth - focusing growth in most suitable locations; making efficient use of land.
- CS4 Areas of more limited change - development to respect the character of its surrounding and to bring benefit to these areas.
- CS5 Managing the impact of growth and development - e.g. consideration to meeting needs of population; providing sustainable buildings.
- CS6 Providing quality homes - aims to maximise supply of new housing and secure high quality affordable housing.
- CS8 Promoting a successful and inclusive Camden economy - safeguards employment sites that meets local needs.
- CS10 Supporting community facilities and services - supports retention of community facilities.
- CS11 Promoting sustainable and efficient travel - promotes the availability of sustainable transport including walking, cycling and public transport.
- CS13 Tackling climate change through promoting higher environmental standards - development to minimise the effects of, and adapt to, climate change and to meet the highest feasible environmental standards that are financially viable.
- CS14 Promoting high quality places and conserving our heritage - promotes high quality, attractive, safe and accessible development.
- CS15 Protecting and improving our parks and open spaces and encouraging biodiversity - aims to protect and improve Camden's parks and open spaces.
- CS17 'Safe design' - encourages security and community safety measures in new developments.
- CS18 Dealing with our waste and encouraging recycling – ensures the inclusion of storage and collection of waste and recycling facilities.
- CS19 Delivering and monitoring the Core Strategy – the use of planning obligations to secure the necessary and related services and to mitigate the impact of development.

**Camden Development Policies 2010-2025:**

- DP2 Making full use of Camden's capacity for housing

- DP3 Contributions to the supply of affordable housing
- DP5 Homes of different sizes
- DP6 Lifetime homes and wheelchair homes
- DP13 Employment sites and premises
- DP15 Community and leisure uses
- DP17 Walking, cycling and public transport
- DP18 Parking standards and limiting the availability of car parking
- DP19 Managing the impact of parking
- DP21 Development connecting to the highway network
- DP22 Promoting sustainable design and construction
- DP23 Water
- DP24 Securing high quality design
- DP25 Conserving Camden's heritage
- DP26 Managing the impact of development on occupiers and neighbours
- DP28 Noise and vibration
- DP29 Improving Access
- DP31 Provision of, and improvements to, public open space and outdoor sport and recreation facilities

### **London Plan (2011), as amended**

- Policy 3.3 Increasing Housing Supply
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and Design of Housing Developments
- Policy 3.6 Children and Young People's Play and Informal Recreation Facilities
- Policy 3.8 Housing Choice
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 Affordable Housing Thresholds
- Policy 5.2 Minimising Carbon Dioxide Emissions
- Policy 5.3 Sustainable Design and Construction
- Policy 5.4A Electricity and Gas Supply
- Policy 5.7 Renewable Energy
- Policy 5.10 Urban Greening
- Policy 5.11 Green Roofs and Development Site Environs
- Policy 5.13 Sustainable Drainage
- Policy 5.15 Water Use and Supplies

- Policy 6.3 Assessing Effects of Development on Transport Capacity
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.1 Lifetime Neighbourhoods
- Policy 7.2 An Inclusive Environment
- Policy 7.3 Designing Out Crime
- Policy 7.4 Local Character
- Policy 7.6 Architecture
- Policy 7.8 Heritage Assets and Archaeology
- Policy 7.14 Improving Air Quality

## **Other Material Considerations**

### **Mayor of London Supplementary Planning Guidance**

- 5.10 The following Mayor of London Supplementary Planning Guidance documents are relevant to the consideration of this planning application
- 1 Housing (November 2012) - including residential design standards.
  - 2 Shaping Neighbourhoods: Play and Informal Recreation (September 2012)
  - 3 Character and Context (June 2014)
  - 4 Sustainable Design and Construction (April 2014)

### **Camden Planning Guidance**

- 5.11 London Borough of Camden has produced a number of adopted Supplementary Planning Documents (SPDs) to the Core Strategy and Development Management Policies to provide further advice and guidance on policies. These are material considerations in the determination of this application.
- 5.12 The Camden Planning Guidance covers a range of topics (such as design, sustainability, amenity and planning obligations) and so should be considered in conjunction with, and within the context of, Camden's development plan policies.

### **National Planning Policy Guidance**

- 5.13 The National Planning Policy Framework (NPPF) sets out national planning policy and how it is expected to be applied. It is a material consideration in determining planning applications.

- 5.14 The NPPF defines the Government’s presumption in favour of sustainable development (paragraph 14), which requires decision makers to approve development proposals that accord with the development plan “without delay”. Where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless adverse impacts would significantly and demonstrably outweigh harm, or where specific policies of the NPPF dictate otherwise.
- 5.15 The NPPF requires local authorities to boost significantly the supply of housing (paragraph 47), and to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Housing applications should be considered in the context of the presumption in favour of sustainable development with the aim of delivering a wide choice of high quality homes and opportunities for home ownership creating sustainable, inclusive and mixed communities (paragraphs 49 & 50).
- 5.16 The NPPF, paragraph 17, also encourages the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value.
- 5.17 Paragraph 22 of the NPPF stresses that;  
*“Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”*
- 5.18 Similarly, paragraph 51 makes clear that planning applications for change to residential use and any associated development from commercial buildings should normally be approved where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.
- 5.19 The NPPF also promotes healthy communities and states that in order *“to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should...guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;...”*.
- 5.20 Good design is a key aspect of sustainable development and should contribute positively to making places better for people (Para 56). The NPPF considers that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness (paragraph 50).

- 5.21 Section 12 sets out the Government’s advice on protecting heritage, of relevance to the presence of a listed building and conservation areas in the wider context of the site. When determining planning applications, local authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, the more important the asset the greater the weight should be given.
- 5.22 The NPPF also contains policies on promoting sustainable transport, meeting the challenge of climate change and conserving and enhancing the natural environment.
- 5.23 The NPPF (section 4.0) recognises the role of transport in achieving sustainability development, and requires that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Decisions should take account of whether the opportunities for sustainable transport modes have been taken up and whether safe and suitable access to the site can be achieved for all people. Parking requirements should reflect a number of factors, including accessibility and availability of public transport opportunities.
- 5.24 With regards to climate changes, paragraph 93 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. In determining applications, paragraph 96 states that that local planning authorities should expect new development to:
- *comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
  - *take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*
- 5.25 Regarding the landscape, the NPPF requires that the planning system contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 109) . Protection of ‘landscape areas’ must be commensurate with their status and give appropriate weight to their importance (paragraph 131).

## **Key Policy Considerations**

- 5.26 From our analysis of the statutory development plan, national policy and other planning guidance, we consider the following planning considerations represent the key planning issues against which the planning application should be considered.

- 1 **The principle of development in land use terms**, including the balance of justification between the provision of needed housing and the loss of employment floorspace, a former community use and on-site parking
- 2 **Design considerations**
- 3 **Residential policies** including mix, tenure, and design standards (including amenity and overlooking)
- 4 **Conservation and heritage issues**, including the impact on the character and appearance of the Conservation Area and nearby Listed Buildings
- 5 **Trees and landscaping**
- 6 **Transport issues**, including access, car and cycle parking provision
- 7 **Sustainability considerations**, including energy strategy
- 8 Other **environmental issues** including air quality and noise
- 9 **Legal obligations/Heads of Terms/Community Infrastructure Levy**

5.27

The development plan must be looked at as a whole taking into account an assessment of material considerations and relevant legal considerations. The assessment in Section 6 sets out the material considerations relevant to this proposal and concludes that when taking these into account the application should be granted.

## 6.0 **Assessment**

### **Introduction**

6.1 This section sets out our assessment of the scheme against the key planning considerations outlined in Section 5.0, and consultation issues outlined in Section 3.0.

### **Principle of Development**

#### **Loss of Existing Uses**

##### **Employment**

6.2 As noted, there are seven commercial units on the site, comprising a mix of B1(a) office use and B1(c) light industrial units, two of which are vacant.

6.3 LBC Policy CS8 (Promoting a Successful and Inclusive Economy) seeks to safeguard existing employment sites and premises in the Borough where these “meet the needs of modern industry and other employers” and protects the Borough’s main Industry Area. It also expects the provision for a mix of employment facilities and types.

6.4 Policy DP13 (Employment Premises and Sites) aims to retain business uses and will resist a change to non-business use unless:

- it can be demonstrated to the Council that a site or building is no longer suitable for its existing business use; and
- There is evidence that the possibility of retaining, reusing or redeveloping the site or building for a similar or alternative business use has been fully explored over an appropriate period of time.

6.5 An Employment Floorspace Assessment (EFA) (prepared by JLL) is submitted with the application. The EFA, which has been subject to detailed discussions with planning and economic officers, provides a detailed assessment of the quality of the existing accommodation and a consideration of the appropriateness of the site and its location for continued employment use.

6.6 With regard to the requirement for marketing, in this case, the ownership history of the site must be acknowledged and, in particular, that the site was sold by the Council to Fairview this year following the marketing of the site by LBC for a scheme of 100 per cent private residential development. Fairview has not had the opportunity to undertake a further prolonged marketing exercise for prospective business users. Given its recent purchase, this is not regarded as either desirable or pragmatic, particularly in the context of the NPPF’s encouragement for changes from commercial to residential uses. JLL advise that marketing of the existing employment units would be of no value as the units are in poor structural condition and nearing the end of their useful life.



6.7 To meet the LBC policy requirement (and the NPPF test that there is no “strong economic reason” for retaining commercial uses on site), the potential for continued employment use on the site has been fully explored by specialist commercial agents in the accompanying EFA. This approach, and the scope of the assessment, has been agreed with officers.

6.8 In summary, the EFA establishes that:

- The existing building and employment units are of low quality by reference to the categories in Camden Planning Guidance 5. They are in a poor state of repair, with serious structural issues. They currently lie part vacant, with other units in rental arrears.
- Their quality and condition, and upcoming changes in regulatory standards, means that the units are, or will shortly be, unfit for purpose.
- Evidence shows that the market for office and light industrial uses in the area is weak, attracting very low rental returns.
- The site’s location in a primarily residential area and away from other employment clusters, seriously compromises its attractiveness to potential future occupiers.

6.9 As a result, new employment space would only be capable of being let at sub-economic rents, and the expectation is that they could be subject to long periods of vacancy. This would be detrimental to the overall contribution of the development to the area.

6.10 The evidence demonstrates that the site is no longer viable or suitable for business use, based on a full exploration of the site and market conditions in line. The redevelopment of the site for residential use is in line with Camden’s policy.

6.11 Bearing in mind the policy of the NPPF, which supports change of use to residential from commercial uses where there is a need for housing and there are not strong economic reasons why it would be inappropriate, the loss of employment use at 32 Lawn Road is considered to be appropriate in this case.

### **Community Use**

6.12 Camden Policy DP15 protects “existing community facilities” by resisting their loss unless “*a replacement facility that meets the needs of the local population is provided*”, or the specific community use is no longer required.

6.13 On this issue, as a starting point, it should be recognised that the site does not now contain an existing community facility. As detailed in Section 2, in advance of selling the site, the Council relocated the principal use of the Community Centre, operated by the Queen’s Crescent Community Association (QCCA), to the Weedington Centre nearby and the former launderette was sold with vacant possession.

6.14 Notwithstanding the fact that there is no existing community use of the site, the policy requirement to justify the loss of such a facility is considered below.

- 6.15 As background to the sale of the site, the LBC Cabinet Report (April 2012) investigated the use of the community centre, finding that,... *“on a daily basis the community centre is only used at 8-30% of its capacity for regular activity, although it is unclear how much one off hire takes place”*. Only 11 groups had, it states, regular bookings of the Centre.
- 6.16 The April 2012 report also highlighted the occasional use of the Centre by tenants’ and residents’ groups in the vicinity of the site. On agreeing to proceed towards the sale of the site, the Council agreed that:  
*“the receipt would fund the re-provision of the existing tenant meeting facility as partial replacement of the D1 use on the site, and that it is anticipated that there is sufficient capacity nearby that means that the loss of the community centre on the site would not lead to a shortfall in provision in the area.”*
- 6.17 The LBC therefore sought to consolidate and re-provide the existing community uses elsewhere to facilitate the sale of the site for a future housing development as part of the Community Investment Programme. In July 2012, LBC records show that the relocation of the QCCA was approved by the Council. Both of the above reports highlighted the work that was being undertaken by housing officers at LBC to identify and provide an alternative meeting place for tenant groups.
- 6.18 Responding to LBC Policy DP15, the above records show that:
- 1 As demonstrated by the Council’s own evidence, there was a history of low usage of the Community Centre and that LBC considered on vacating the community centre that there is sufficient capacity elsewhere in the vicinity to meet local needs. This responds to the policy requirement that *“the specific community facility is no longer required in its current use”*.
  - 2 The principal operator and uses have been relocated, now operating from facilities focussed around Ashdown Crescent and Weedington Road some 10-15 minutes’ walk from the site. In this location, the QCCA offers a considerable range of services across a variety of venues, which include support and social groups for families, children and the elderly, youth and training services, and sports groups and facilities. A variety of halls are also available to local groups for public hire in this location.  
  
Thus a replacement facility that meets the needs of the local population is provided.

### **Car parking**

- 6.19 The proposed development is consistent with Camden Policy CS11, which promotes the re-use of existing car parking. The car parking on the site was, in any event, vacated by the Council prior to the site’s sale.
- 6.20 Camden Policy DP19 resists development that will add to on-street parking demand where on-street parking spaces cannot meet existing demand, or otherwise harm existing on-street parking conditions. This will be dealt with

through the delivery of a car-free scheme, which will ensure residents will not be able to apply for parking permits.

### **Roof-top ‘pitch’**

- 6.21 Camden Policy DP15 protects existing recreation uses unless adequate facilities are available in the area.
- 6.22 The roof of the building was not designed or laid out as a sports pitch, although it has been used as such by youth groups that were based at the former Community Centre. This use was connected with the QCCA’s operations and Council records indicate that it has not been used as such for 4-5 years.
- 6.23 The Cabinet report of April 2012 decided that *“as the play area has remained unused for some time and is poor in quality it is not considered necessary to re-provide this public play area.”*
- 6.24 In this regard, it is considered that the application would not result in any loss of a recreation facility.
- 6.25 In any event, that the QCCA operate two multi-use games pitches at Malden Road nearby, which is accessible to local residents.

### **Development for housing**

- 6.26 Having established that existing uses on the Lawn Road site are no longer viable or needed, the proposal to deliver 73 new dwellings of mixed sizes is entirely consistent with Camden policy, which identifies housing as the **priority land use** for the Borough and highlights the need to maximise the supply of housing.
- 6.27 The NPPF attaches great importance to significantly boosting the supply of new housing. Relevant to Camden, Policy 3.3 of the London Plan seeks to increase housing supply across the Capital, with minimum housing targets set out in Table 3.1. For Camden, the minimum ten year target is 6,650 units or 665 a year; the current draft Further Alterations to the London Plan propose an increase in housing delivery in Camden to 8,892 additional dwellings between 2015 and 2025, an annual target of 889 dwellings.
- 6.28 Camden’s Core Strategy (Policy CS6) also seeks to meet or exceed a target of 8,925 new homes across the Borough between 2010 and 2025, with Annual Monitoring Reports including a reliance on a number of small sites and windfall sites. Policy DP2 follows this through, expecting the maximum appropriate contribution to supply of housing on sites that are underused or vacant, taking into account any other uses that are needed on the site.
- 6.29 Notably, Camden’s Annual Monitoring Reports for the last three years (2011/12 – 2013/14) show that the net increase in self-contained homes fell short of Camden’s target in each reporting year. This creates greater pressure on delivering in future years.

- 6.30 The site is in a sustainable location, with a good/very good PTAL level and access to local services and amenities. The development proposes re-use of an existing underutilised, part vacant brownfield site, making the best use of Camden's limited land. This approach accords with the core principles of the NPPF, which encourages the re-use of previously developed land, and Camden Core Strategy Policy CS1.
- 6.31 Policies CS1 and CS4 support development which makes the best use of land in areas of more limited change which are outside of the growth areas. The key test set out in Policy CS4 is that development in these areas '*respects the character of its surroundings, conserves heritage and other important features and provides environmental improvements and other local benefits where appropriate*'. An assessment of these issues is outlined in further detail below.
- 6.32 In light of the above examination on the loss of existing uses, and the priority given to the delivery of significant number of new dwellings (particularly on underused brownfield sites), the redevelopment of the site for housing is considered highly desirable and in line with development plan policies.

### **Community Investment Programme**

- 6.33 It is again worth highlighting the importance of the sale of the site, as set out in section 2.0, to local regeneration. The sale of the site for housing raised substantial funds for LBC's Community Investment Programme, for investment in local regeneration programmes, housing and community facilities. At the same time, the Programme recognised the considerable benefits that would arise from the delivery of housing on the site itself, both in terms of its contribution to numbers of dwellings and the associated environmental improvements that would result from redeveloping the site.
- 6.34 The delivery of housing on the site, and the funds this raised for local regeneration programmes, are important material considerations in determining this application.

### **Design**

- 6.35 The Design and Access Statement (DAS) provides a commentary on the design of the new residential development, how it responds to its context and the ways in which it has changed as a result of progressive design analysis and consultation with other key stakeholders, including design officers at LBC and Design Council CABE.
- 6.36 The accompanying Urban Design Analysis also provides a detailed assessment of the townscape context, which has informed design development.
- 6.37 The NPPF (paragraphs 56 and 57), London Plan (Policies 7.1 to 7.8) and Camden Core Strategy (Policies CS14, CS17), Development Policies (DP24) and CPG 1 place great emphasis on the importance of good design. Policy at all levels requires buildings, streets and spaces to respond in a manner which

promotes inclusive and sustainable development and contributes positively to the relationship between urban and natural environments and general character of the location.

6.38 The requirement to achieve the highest standards of accessibility and inclusive design are set out in Section 7 of the London Plan. Policy 7.4 requires development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. Architectural design criteria are set out at Policy 7.6

6.39 Development Management Policy DP24 requires all development to be of the highest standard of design and expects developments to have consideration to a number of criteria. These include consideration of the character, setting and context and the form and scale of neighbouring buildings; the quality of materials of used; the provision of visually interesting frontages at street level; and, the provision of appropriate hard and soft landscaping.

6.40 A number of design related principles were agreed during pre-application discussions with the Council and CABE. These reflect the requirements of policy and have been used to guide the design of the scheme.

6.41 The proposed development achieves a high quality of design that is highly contextual, responding to the site, its location and its relationship with this part of NW3. The design will provide a coherent streetscape on Lawn Road and Upper Park Road, whilst also softening the development by 'wrapping it' in a complementary landscaping scheme. The height, form and massing represents a considered response to a number of issues – from the historic street pattern, urban grain and heights of surrounding buildings, to the relationship between the proposed building and its existing neighbours.

6.42 As explained in the DAS, great care has been taken to arrive at a material palette that, while assuming its own identity, also carefully makes reference to the New London Vernacular in its use of brick as the predominant material with large window openings; it also makes a subtle reference to the nearby Grade I listed Isokon building in its form and light masonry tone. A white render attic story would visually complement the masonry base. The restricted material palette is completed with bronze coloured window frames and metal cladding to the stair cores.

6.43 Considerable attention has been given to the articulation of the elevations, to ensure they are visually interesting, while entrances to the street will provide an active human scale ground floor.

6.44 Overall, it is considered that the design delivers on the policy requirement for design excellence.

## **Residential policies and standards**

6.45 London Plan Policy 3.5 promotes high quality design of housing development that takes into account its physical context, local character, density, tenure and

land use mix and relationship with, and provision for public, communal and open spaces taking into account the needs of children and older people.

- 6.46 New development should conform with the minimum space standards set out in Table 3.3 of the London Plan and Camden Planning Guidance 2 - Housing. Policy 3.8 of the London Plan recognises that a genuine choice of homes should be provided in terms of both tenure and size and provision should also be made for affordable family housing, wheelchair accessible housing and ensuring all new housing is built to 'The Lifetime Homes' standards. This is reflected in Camden's Core Strategy, which seeks a diverse range of housing products to provide a range of homes accessible across the spectrum of household incomes (Policy CS6), and in its requirements for Lifetime and Wheelchair homes.
- 6.47 The residential units will be designed in accordance with the standards in the Mayor's Housing SPG (November 2012) and Camden Planning Guidance 1 (Design) and 2 (Housing).

### **Residential Mix**

- 6.48 The scheme proposes 73 residential units. It will fulfil the requirement of Core Strategy Policy CS6 and Development Policy DP2 to maximise the supply of additional homes capable of being provided on an under-utilised site, in the context of the site and its surroundings.
- 6.49 In accordance with London Plan Policy 3.8, Core Strategy Policy CS6 and Development Policies policy DP5, the development will provide a range of unit sizes, as set out above, to meet a variety of demands across the Borough. In particular, it will respond to the Dwelling Size Priority Table accompanying Policy DP5, which identifies two bed market units as being of 'Very High Priority' - the scheme meets this at 45% provision.

### **Affordable Housing**

- 6.50 The scheme was marketed by the Council as a residential development for 100% private sale, but the provision of affordable housing falls to be considered against 7.32 Core Strategy Policy CS6, Development Policy DP3 and Camden Planning Guidance 2 (Housing) and 8 (Planning Obligations). These policies require a contribution towards affordable housing in schemes providing 10 or more units.
- 6.51 Policy DP3 states that the Council will negotiate the development of individual sites to seek the maximum reasonable amount of affordable housing on the basis of an affordable housing target of 50% of the total addition to housing floorspace, on sites of 50 units or more. The Council, in considering the contribution to affordable housing, will take into account the economics and financial viability of the development including any particular costs associated with it.

- 6.52 London Plan Policy 3.12 seeks the maximum reasonable amount of affordable housing when negotiating on individual housing schemes but states that the objective is to encourage rather than restrain residential development. Paragraph 173 of the NPPF imposes an obligation on Councils to ensure viability when setting requirements for affordable housing.
- 6.53 The applicant has prepared a draft financial viability assessment, which will be submitted on a confidential basis in connection with this application. The quantum and tenure of the affordable housing cannot be determined until the benchmark land value of the site is agreed. This will be subject to further discussion with LBC planning, housing and viability officers and a meeting has been scheduled between LBC and Fairview on 10th November 2014.

## **Open Space**

### **Private Amenity Space**

- 6.54 The scheme includes provision for 634m<sup>2</sup> of private landscaped courtyard, plus residential gardens fronting Lawn Road, and private balconies and roof terraces.
- 6.55 Camden Planning Guidance 2 - Housing states that all new dwellings should provide access to private outdoor amenity space, e.g. balconies, roof terraces or communal gardens. It cross refers to the Mayor's Housing Supplementary Planning Guidance, which will be a material consideration in determining the application.
- 6.56 All units will have access to private amenity space that will meet or exceed the Mayor's Housing SPG requirement of a minimum of 5 sq m of private outdoor space for each 1-2 person dwellings and an extra 1 sq m for each additional occupant. This will include a private landscaped courtyard, private roof terraces and balconies.

### **Communal/Public Open Space**

- 6.57 Camden's Development Management Policy DP31 requires an 'appropriate contribution' to open space, with priority given to publicly accessible open space. The scheme falls beneath the threshold for the provision of on-site public open space (100 units). It would exceed the threshold above which the Council will seek an on-site doorstep play space and natural and semi-natural green space; the scheme will meet this policy requirement through the provision of the landscaped courtyard, including a play space.
- 6.58 The courtyard space within the development has been designed to provide a high quality and biodiverse landscaping for the private use of residents of the development. This is to ensure that the privacy and security of the residents are maintained, particularly those at ground floor level, and that it is a safe and secure environment that can be well kept, managed and maintained. The new landscape courtyard will have a significant positive contribution to greening the

City in this location, and to the attractiveness of the townscape and views from the surrounding area.

- 6.59 While the development does not exceed the Policy threshold for the provision of on-site public open space, Policy DP31 requires that development that is likely to lead to an increased use of public open space should make an appropriate contribution to the supply of open space. Camden Planning Guidance 6 makes provision for such contributions and this requirement will be drawn into discussions over the s106 agreement (see below).
- 6.60 Fairview is also preparing wider proposals for the delivery of wider environmental improvements around the site, which are submitted for illustrative purposes. This strategy for environmental improvements will be subject to a contribution by Fairview set out as part of the s106, and delivered by the LBC.

### **Residential Amenity**

- 6.61 The scheme has been designed so as not to cause harm to the amenity of neighbours and potential occupiers as required by Development Policy DP26.
- 6.62 The possible implications on amenity by way of overlooking and impacts on privacy have been addressed in the design of the proposals. The proposed position of the building will ensure appropriate separation distances between the new building and neighbouring properties, while the orientation of balconies and the apartment layouts will limit overlooking and avoid infringing privacy.
- 6.63 An assessment of potential impacts on sunlight, daylight and overshadowing have also been undertaken (and is submitted with the application), based on the approach set out in the Building Research Establishment's (BRE) '*Site Layout Planning for Daylight and Sunlight: A Good Practice Guide*'. This has included an assessment of impacts on the site's residential neighbours, and on the quality of sunlight and daylight to the new residential dwellings and open space. The analysis examined 258 windows in six neighbouring properties.
- 6.64 The impacts in these areas have influenced, from the outset, the form and scale of development of the site (e.g. through setting back the scheme from the site's eastern boundary and from Palgrave House), and have resulted in further adjustments as the design has evolved. This has included the removal of attic storeys from the southern end of the development adjacent to Garnett House.
- 6.65 This analysis demonstrates that, taking into account the urban location within which the site is located and the under developed nature of the site, the aims of the BRE Guidelines are achieved.
- 6.66 The assessment also considered the level of daylight the proposed accommodation will achieve and the level of sunlight the proposed amenity space will enjoy with reference to the BRE Guidelines and the Mayor of London's Housing SPG. The design ensures that all rooms will achieve the recommended minimum Average Daylight Factor and that the amenity space will achieve the recommended minimum level of sunlight.



## Residential Design Standards

- 6.67 All residential units will meet Lifetime Homes Standard and seven wheelchair accessible units are proposed. This is compliant with London Plan Policy 3.8, and LBC Development Policies DP6 and CPG2, which require all residential units to meet Lifetime Homes Standard and 10% of homes to be designed, built and fitted out to meet wheelchair housing standards.
- 6.68 All units meet or exceed the standards set out in the Mayor of London Housing SPG (2012), London Plan Table 3.3 and Policy 3.5, Development Policies policy DP26 and CPG2.

## Residential Density

- 6.69 The site has a PTAL rating of 4 to 5 and is defined as being within an urban area. The London Plan sets out density ranges in Table 3.2 and Policy 3.4, which states that:
- “Taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2.”*
- 6.70 For the application site, the London Plan would suggest that a density of 70-260 units per ha, or 200-700 habitable rooms per hectare, is appropriate.
- 6.71 The net site area for the purpose of density calculations is 0.25ha. The density of the scheme is therefore 292 dwellings per hectare and 844 habitable rooms per hectare, which exceeds the above range. Regard has been given to the density ranges linked to the above London Plan policy, recognising however that housing density should not be used as a tool in isolation to drive the nature of a housing development or to judge its appropriateness. Rather, density is an outcome of the design and development process that takes into account a variety of factors, including accessibility, context, relationship with neighbours, provision of appropriate internal and external space, quality of design, viability and so on.
- 6.72 Paragraph 3.28 of the London Plan states that...*“It is not appropriate to apply Table 3.2. mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential - local context, design and transport capacity are particularly important, as well as social infrastructure (Policy 3.16), open space (Policy 7.17) and play (Policy 3.6).”*
- 6.73 The Mayor’s Housing SPG, at paragraph 1.3.12, goes on to state that the density ranges should be *“used as a guide and not an absolute rule, so as to also take proper account of other objectives.”* It does not preclude developments with a density above the suggested ranges, but requires that they *“must be tested rigorously”* (para.1.3.14). This will include an examination of factors relating to different aspect of “liveability” of a proposal (dwelling mix, design and quality), access to services, management of communal areas and

a scheme's contribution to 'place shaping'. The impact of massing, scale and character in relation to nearby uses will be particularly important – and *“design should be exemplary”*.

- 6.74 The SPG also considers the opportunities and constraints with regards to density on small sites (para.1.3.39). Responding to existing streetscape, massing and design of the surrounding built environment should be given special attention – where existing density is high, for example, higher density can be justified. Para 1.3.40 notes that small sites require little land for internal infrastructure, and as such, it is appropriate for density to reflect this. These factors are all relevant to the development of the application site.
- 6.75 Taking account of the above, the proposed residential development has been designed to deliver high quality homes in a development that responds to its local context, taking into account both the physical constraints of the site and its relationship with neighbouring properties and the nearby townscape.
- 6.76 From a future occupier perspective, the scheme will meet all the standards for the provision of internal space and amenity, and deliver on the requirements of Lifetime Homes and wheelchair accessible housing.
- 6.77 A detailed analysis of context has been prepared, in the accompanying Urban Design Appraisal, which set the framework for future development through examining key characteristic of the area (e.g. looking at building mix, heights, scale, street pattern, urban grain, landscaping etc). This recognises the wide variety of building types, heights and densities in the vicinity, and the often considerable differences of heights between neighbouring buildings.
- 6.78 It also identified various sensitivities in terms of the site's relationship with its surroundings, which has led to further assessments being undertaken to ensure that the new development would not impinge on privacy or create overlooking issues, with particular attention afforded to the properties to the east of Upper Park Road. Sunlight and daylight impacts have been addressed, as set out above and in the accompanying study; the layout and massing of the scheme has evolved in response to these issues, including reductions in the scale and coverage of the attic storeys.
- 6.79 Detailed visual analysis of the development from short and medium range views has influenced the design as it has evolved. The DAS shows how the development will sit within and relate comfortably to the surrounding townscape, and the Heritage Impact Assessment shows a positive impact on the setting of the CAs and listed Isokon building.
- 6.80 The design of the scheme has not been prepared in isolation, but is also a “product” of numerous pre-application discussions between the Council, the applicant and CABE. It has been subject to two CABE design reviews, where it has received support for its *“volume, scale and height”* and for *“the slender form and overall proportions of the building and its subtle response to the context.”*

6.81 The proposed development marginally exceeds London density range. This is, however, justified by the quality of the design and its response to context, and the rigour the applicant has applied to assessing the acceptability of the scheme within these parameters. It delivers on London Plan policy by optimising additional housing on an underutilised, brownfield site in an accessible location.

## **Conservation and Heritage**

6.82 The NPPF states that, in determining planning applications where heritage assets are involved, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and the desirability of new development making a positive contribution to local character and distinctiveness. Camden Development Policy DP25 resists development that will cause harm to the character and appearance of a Conservation Area, or to the setting of a listed building.

6.83 As noted, the site does not lie within a CA. The relationship between the site and the two CAs within its vicinity is explored fully in the Urban Design Appraisal and further developed within the Heritage Impact Assessment (HIA), which examines how the development will impact on this relationship.

6.84 The character of the site and its immediate surroundings, which are distinctly different from that of the CAs, shows a disconnection between the site and the CAs, albeit that the site will be visible in some views from the CAs.

6.85 The listed Isokon Building lies to the south west, physically separated from the application site by Garnett House, Du Maurier House and the dense landscaping surrounding the Isokon at its northern end. Only in some longer views would the proposed development be read in the context of the Isokon building, set within the eclectic mix of buildings in the area between the two CAs.

6.86 In terms of the other listed buildings identified, the site will not be viewed in the context of the two buildings further afield – Barn Field and the Dunboyne Road Estate, albeit there are limited views of the site from the former which are assessed in the context of the CA impacts.

6.87 The relationship of the new development with the identified heritage assets has been dealt with in the application through a Heritage Impact Assessment (HIA). This examines, in particular, key views from within the CAs and from a location adjacent to the Isokon building.

6.88 It can be seen from the HIA that the new building would form a minor part of the settings of the Parkhill and Upper Park CA, Mansfield CA and the Grade I listed Isokon building. The scale, form and massing of the development pays due regard to the two CAs and the Isokon building. A number of key views from the CAs and adjacent to the Isokon building demonstrate how comfortably the development will sit within the surroundings, responding to the scale of

neighbouring buildings. The new building will not interrupt key views into or out of the CAs.

- 6.89 Furthermore, the development will have a positive impact on the townscape, and so the setting of the CAs/listed building, by reinforcing the street pattern on Lawn Road and at the southern end of the site on Upper Park Road (reference is made to the historic street pattern in the Urban Design Appraisal, which the development will help re-instate). Moreover, the quality of the architecture, from its form through to detailing and materials, will have a positive effect on the townscape.
- 6.90 In all instances where the scheme is seen together with these heritage assets, the building introduces a positive new element within the townscape.
- 6.91 The character and appearance of the CAs are preserved and enhanced and the setting and significance of the listed building is preserved.
- 6.92 The scheme complies with Camden planning policies, London Plan policies, and paragraph 131 of the NPPF is met, that is, the significance of heritage assets are sustained and enhanced. Furthermore, Sec 66 (1) and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 is complied with.
- 6.93 As highlighted in the DAS, the Isokon building has had a strong influence on the design of the building from the outset. In its final form, the development subtly echoes some of the characteristic features of the Isokon in its use of balconies, prominent circulation cores, horizontal banding and its rendering of upper storeys. The design intention is that the new building will be respectful and complementary in townscape terms to the Isokon, providing a positive new addition to the street scene without competing with the Grade I listed building.

## **Trees and Landscaping**

- 6.94 Development Management Policy DP24 requires development to consider existing natural features, such as trees, and to provide appropriate hard and soft landscaping. There are a number of trees on and adjacent to the site and LBC has recently made Tree Preservation Orders (TPOs) on four trees on Lawn Road.
- 6.95 In examining context, the Urban Design Appraisal found that there are some street trees along the site's boundaries and a number of significant large trees to the north of the site and within the grounds of the Education Centre. It found, however, that formal street tree planting is not a strong characteristic of Lawn Road, although more prevalent on Upper Park Road.
- 6.96 Further, the Arboricultural Development Statement (ADS) categorises the trees on site according to their quality. There are nine individual trees and three groups of trees on or adjacent to the site, of varying quality. The ADS found there to be no Category A trees, being those of high quality. Five individual trees and one group of trees were considered as being of moderate quality, with some landscape and arboricultural value.

- 6.97 The development provides an opportunity to provide a high quality, cohesive tree-planting scheme that reinforces the tree planting in the vicinity of the site, enhances biodiversity through species selection and works within the new landscaping scheme that will be developed for the application site, and extended to the wider area around the application site.
- 6.98 It is proposed to remove all of the trees within the application site, including the three proposed TPO trees. The large Ash tree to the north of the site, within the green space, will be retained and protected.
- 6.99 Existing trees will be replaced with high quality trees and a landscaping scheme that is integral to the design of the development and that will have a long-lasting contribution to the townscape, biodiversity and to the 'greenness' of the area. These proposals are set out in detail in the Landscape Strategy accompanying the application, and will consist of the following principal elements:
- Major new trees
  - Medium sized trees
  - Flowering, colourful garden scale trees with berries and pollen
  - Evergreen hedges defining the site boundaries
  - Butterfly garden, comprising flowering shrubs
  - Bee garden, comprising pollen and nectar rich plants
  - Climbing plants and wall shrubs
  - Wildflower grass
  - Species rich turf
  - Mown turf with areas of bulbs
- 6.100 The landscape design will create an instant planting scheme with immediate impact, but one that will mature attractively into a long-term landscape using well proven, drought resistant plant material with minimal maintenance requirements. The new trees, lawns, hedges, shrubs and climbing plants will also contribute to the sustainability of the development by reducing the City 'heat island' effect.

## **Transport and Access**

- 6.101 Strategic transport objectives are set out in Section 6 of the London Plan and promote sustainable modes of travel in new development. Policy DP16 of Camden's Development Policies also seeks to ensure that development is properly integrated with the transport network and is supported by adequate walking, cycling and public transport links. Proposals should also make appropriate connections to surrounding streets and spaces.
- 6.102 Development Management Policy DP18 states that *"the Council will expect development to be car free... within Controlled Parking Zones that are easily accessible by public transport"*.

- 6.103 A Transport Statement is submitted with the planning application, which assesses the proposals in the context of policy and guidance.
- 6.104 In terms of accessibility, the site is located in close proximity to Belsize Park Underground Station and Hampstead Heath Overground station, with frequent bus services also available from nearby stops. The application site has a PTAL rating of 4-5, equivalent to Good or Very Good accessibility. A range of services and amenities are available within the local area, within walking and cycling distance for the new residents.
- 6.105 An analysis of TRIP rates in the Transport Statement suggest that there will be no trips made by private vehicle associated with the development, with the majority of trips made on foot, bicycle or by public transport.
- 6.106 A Travel Plan Statement is submitted as part of the Transport Statement setting out a framework and strategy for encouraging sustainable transport choices by the occupiers of the new dwellings.

### **Car parking provision**

- 6.107 London Plan Table 6.2 and Development Management Policy's DP16 – DP19 and Appendix 2 set out the transport policies and standards for car parking and cycle parking. The site is in a highly accessible location within easy walking distance of Belsize Park station, bus routes and local facilities and therefore no general car parking is proposed for the development in line with Camden Development Policy DP18. Four on-street disabled parking spaces are proposed, utilising gaps that existed for the site accesses in order to minimise any impact on existing parking in the area.
- 6.108 The applicant will enter into an agreement to ensure that future residents cannot apply for parking permit, meaning that no additional stress for on street parking is generated. Based on a survey of existing parking provision and usage, and the car-free nature of the scheme, the Transport Statement concludes that the development will not give rise to any car parking issues.
- 6.109 Overall it is considered that the scheme complies with London Plan policy 6.13 Development Policies DP18, DP19 and DP21 and Appendix 2.

### **Cycle parking provision**

- 6.110 Core Strategy policy CS11 seeks to promote sustainable and efficient travel including improved facilities for cyclists. Camden's cycle parking standards require that 1 space should be provided per residential unit plus 1 visitor space per every 10 units. The scheme makes provision for 1 cycle space for 1 and 2 bed units and 2 spaces for 3 bed units, all within the building. Two additional visitor spaces are provided within the courtyard.
- 6.111 Therefore, in line with standards, the development will provide a total of 90 cycle parking spaces for the residential units.

## **Servicing and Refuse**

- 6.112 Servicing will be undertaken from the street, and principally from Upper Park Road. Refuse storage, including segregated storage for recyclables, will be provided within the building at ground floor, as detailed on the plans. A Service Management Strategy is contained within the Transport Statement.

## **Sustainability**

- 6.113 Section 5 of the London Plan outlines the Mayor's policies on climate change and sustainability. Policy 5.2 sets out the Mayor's approach to minimising carbon dioxide emissions through the energy hierarchy of "Be Lean", "Be Clean", "Be Green" and sets a target, explained further in the Sustainable Design and Construction SPG, that all residential development will be expected to achieve a flat carbon dioxide improvement target beyond the Building Regulation Part L 2013 requirement of 35%.
- 6.114 Policy 5.6 requires that major development proposals select energy systems in accordance with the following hierarchy:
- 1 Connection to existing heating or cooling networks;
  - 2 Site wide CHP network;
  - 3 Communal heating and cooling;
- 6.115 Major development proposals are also expected to provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible (Policy 5.7).
- 6.116 London Plan Policy 5.3 promotes sustainable design and construction in new development and Policy 5.13 encourages development utilising sustainable urban drainage system (SUDS) unless there are practical reasons for not doing so. Policy 5.15 seeks to minimise the use of main water with residential development.
- 6.117 LBC Development Policy DP22 then promotes and measures sustainable design and construction by expecting new build housing to meet Code for Sustainable Homes Level 4 by 2013. Core Strategy Policy CS13, Development Policies policy DP22 and CPG3 set out further guidance on sustainability.
- 6.118 The application is accompanied by an Energy Statement and Sustainability Statement, which demonstrate how the proposed development will incorporate a range of sustainability measures that will reduce carbon dioxide and use of natural resources. A summary of the measures is outlined below.

## **Energy Efficiency**

- 6.119 The Energy Statement explains how the proposals follow the Mayor's energy hierarchy.
- 6.120 It demonstrates that the proposed energy solution for the development follows and responds to the Be Lean, Be Clean, Be Green principles and includes

various energy efficiency measures as well as low-carbon and renewable energy technologies.

- 6.121 The development will significantly reduce CO<sup>2</sup> emissions by incorporating a range of passive design and energy efficiency measures throughout the site, including improved building fabric standards beyond the requirements of building regulations, energy efficient ventilation strategy and energy efficient lighting. The energy assessment shows that by implementing the energy efficient design, by incorporating enhanced building fabric standards and by using energy efficient systems, it is possible to achieve Part L compliance without contribution from low carbon and renewable energy technologies.
- 6.122 Once energy demand has been reduced, the strategy proposes implementation of gas-fired CHP engine and efficient gas-fired boilers connected to a communal heating system, which will supply hot water for the entire development. It is anticipated that the use of the CHP engine and communal heating network will reduce CO<sup>2</sup> emissions by approximately 29.5%. This is in accordance with the hierarchy for selecting energy systems, as it has been established that is not contractually possible to connect to the district heating system in the area of the site. The site's infrastructure will, however, be future-proofed to allow connection to a district heating network if possible in future.
- 6.123 To meet the requirement for renewable technology, photovoltaic (PV) systems will be provided to supply renewable energy for the development. The assessment shows that the PV systems will result in approximately 18.9% CO<sup>2</sup> reduction for the entire site. This means that the renewable target is broadly achieved.
- 6.124 Overall, the proposed strategy can achieve a reduction in CO<sup>2</sup> emissions for the development equivalent to 42.8% reduction when compared to the original baseline, in excess of the 35% policy target. The development would also meet the Code for Sustainable Homes Level 4 energy requirements.

## **Sustainability Strategy**

- 6.125 The Sustainability Statement sets out details of how the development will contribute to the Mayor's and Camden Council's sustainability policies and targets.
- 6.126 The development will achieve Code for Sustainable Homes Level 4, as required by LBC Development Policy DP22, and responds to the requirements of Camden Planning Guidance 3 on Sustainability. A Code for Sustainable Homes Pre-assessment is included in the Sustainability Statement, demonstrating how Camden's minimum standards against the relevant categories will be achieved.
- 6.127 As set out above, the proposed energy strategy for the development will satisfy the London Plan, and Camden Planning Guidance, in accordance with the Be Lean, Be Clean and Be Green hierarchy, emphasising passive design



principles from the early design stages. Heating and hot water for all units will be provided through a communal heating system incorporating Combined Heat and Power (CHP). The use of solar PVs will then be used to ensure emissions are further reduced. As noted above, a total reduction in carbon emissions of 42.8% is expected to be achieved.

- 6.128 London Plan Policy 5.15 and Development Policies policy DP23 require developments to reduce water consumption through the incorporation of water efficient features. Internal water consumption of less than 90 litres/person/day will be targeted through the use of water efficient sanitary fittings and appliances.
- 6.129 Policy DP23 also seeks to limit the amount and rate of run-off and waste water entering the combined storm water and sewer network through, for example, the adoption of sustainable urban drainage methods.
- 6.130 The surface water drainage system for the new development, as set out in the Surface Water SUDs Strategy and Flood Risk Statement, will incorporate sustainable drainage principles and adopts measures in accordance with the London Plan's drainage hierarchy (Policy 5.13). This will include the incorporation of flow control devices, to limit the flow of water to the existing sewer system. The on-site system will be designed to withstand run-off generated from a 1 in 100 year return storm, plus an allowance for climate change. It will ensure that any surface water generated is collected, attenuated and released gradually into the adopted sewer, so preventing flood risk to future occupiers. Rainwater from roof areas will also be collected for re-use, for irrigation purposes, with any surplus overflowing into the main onsite surface water drainage system.
- 6.131 In terms of other sustainability contributions, the development would:
- Make efficient use of underused brownfield land
  - Use low environmental impact materials
  - Meet Lifetime Homes standards for all units
  - Be designed to receive good levels of natural daylighting in all dwellings, and to achieve 5dB improvement over Building Regulations Part E to improve sound attenuation
  - Promote sustainable transport choices, through its accessibility to public transport and local services, through making provision for cyclists within the development (90 cycle spaces), and through minimising car parking provision to disabled bays only.
  - Provide significant areas of amenity space and landscaping, contributing to biodiversity and offering opportunities for shading and reducing the urban heat island affect.
  - Provide water butts for rainwater harvesting for external irrigation purposes.

- Put in place a construction waste management plan to ensure more waste is diverted to land fill.
- Secure a commitment to achieve Best Practice under the Considerate Constructors Scheme.

## Other Environmental Matters

### Air quality

- 6.132 Policy DP32 of LBC's Development Policies addresses the requirement for air quality assessments for developments that could cause harm to air quality. Mitigation measures are expected in developments located in areas of poor air quality.
- 6.133 The area within which the site lies is an Air Quality Management Area.
- 6.134 An Air Quality Assessment has been carried out in connection with the proposed development and this accompanies the planning application. The Assessment recommends positive venting for the proposed flats located between the ground and third floor at the northern end of the development to ensure appropriate levels of air quality for the new residents.
- 6.135 Overall, the Assessment concludes that the proposed development will not have any impact on the ambient air quality near the site, when compared to the previous use, and that air quality should not present a constraint to the achieving planning permission for the proposed development.
- 6.136 A separate report considers the impact of the proposed CHP system on air quality, concluding that the impacts will be of negligible significance.

### Noise

- 6.137 A noise assessment has been submitted with the application that assesses the predicted noise conditions within the proposed residential development. It responds to LBC Development Policy DP28 and the associated thresholds that establish the noise levels at which planning permission is unlikely to be granted for residential development, and the levels at which attenuation measures will be required. The assessment also takes into account other standards, policy and guidance, including British Standard BS8233:2014.
- 6.138 The assessment is based on a noise monitoring survey, and the approach has been discussed and agreed with LBC's Environmental Health Officer.
- 6.139 The survey establishes that the noise environment around the application site is appropriate for residential development. Mitigation measures will be required for residential units at the northern end of the site, closest to Fleet Road, in line with DP28. While other units do not require specific mitigation by reference to the thresholds set out in connection with Policy DP28, mitigation is proposed to meet relevant internal noise criteria.

- 6.140 Such mitigation will consist of enhanced glazing and / or acoustic ventilation for habitable rooms closest to Fleet Road. All other plots will require standard glazing and trickle ventilation in habitable rooms.
- 6.141 The assessment concludes that appropriate mitigation can be provided to ensure internal noise levels are acceptable across the development and within relevant criteria, as agreed with LBC.
- 6.142 External amenity noise levels are predicted to fall within the recommended criteria for the majority of plots. Where amenity noise levels exceed the criterion, there are areas of the communal garden that offer a quieter alternative.
- 6.143 Overall, therefore, it is concluded that noise does not present a constraint to the granting of planning permission.

### **Construction impact**

- 6.144 A Construction Logistics Plan is submitted with the application, in accordance with Camden Planning Guidance 6 – Amenity. This details the construction process, and how impacts will be controlled or mitigated.

### **Planning Obligations and CIL**

- 6.145 Appendix 1 sets out draft Heads of Terms that will form the basis of negotiation with LBC on a potential s106 obligation, in the context of the statutory tests for planning obligations set out in the Community Infrastructure Levy Regulations 2010 (as amended). They reflect the requirements of *Camden Planning Guidance 8 – Planning Obligations*, pre-application advice from officers, and discussions with the community.
- 6.146 At the time of submission of the application, Camden has not yet implemented plans to charge the Community Infrastructure Levy (CIL) in the Borough. The Council is, however, expecting to introduce its own CIL charge in March 2015.
- 6.147 The appendix presents two scenarios: (i) planning permission being granted prior to Camden CIL coming into effect, and (ii) planning permission being granted post implementation of Camden CIL. It is understood that scope of contributions that would be sought through s106 in the context of CIL would be substantially reduced. Discussions on the scope and scale of s106 commitments would be conducted on this basis.
- 6.148 We note that the Mayor of London CIL will be chargeable on the development at a basic rate of £50/m<sup>2</sup>, adjusted according to the BCIS index. A Community Infrastructure Levy - Additional Information Requirement Form accompanies this application.

## 7.0 Conclusions

- 7.1 Fairview purchased the planning application site from the LBC in March 2014, the Council's intention being to raise funds for regeneration in Camden through its Community Investment Programme, and to secure the delivery of new housing. The site was identified as an underutilised land asset by the Council, with potential to raise substantial new funds and to secure new housing. The current application delivers on these aspirations.
- 7.2 The above Statement examines the planning policy context to the proposed development. Central to this are the LBC development plan policies relating to the loss of the existing uses which are present on the site now or have been in the past. In relation to LBC's employment policy, a detailed commercial study has shown that the site is not a suitable location for continued employment use and that it will not provide a viable employment location in future, in particular due to its isolated residential location and lack of market demand.
- 7.3 The former community use on site has been successfully re-provided elsewhere, in a location nearby that offers a variety of facilities for a range of community groups, as well as halls for public hire.
- 7.4 The former use of the roof of the main building as a play pitch was connected to the community centre. The loss of this area has been mitigated by the multi-use play pitches at Malden Road in the vicinity of the site. The loss of vacant car parking is in line with policy, dealt with by the Council prior to its sale of the site.
- 7.5 Overall, the loss of existing use is justifiable in the context of LBC policy; and on the basis of NPPF policy that encourages changes from commercial to residential uses, where there are no strong economic reasons to suggest otherwise.
- 7.6 On the basis of the imperative at national and local level to deliver new housing, and that housing is identified as a priority land use in Camden, the development of 73 new dwellings on the application site is entirely appropriate. The development makes best use of an under-utilised brownfield site in an accessible residential location, in line with the principles of achieving sustainable development. It will achieve a mix of new dwelling sizes responding to local need, including contributing to the priority requirement for 2-bedroom market dwellings.
- 7.7 The proposed development has been subject to extensive pre-application discussion with LBC officers and members, Design Council CABE and the local community. This process has resulted in considerable changes to the design, to ensure it both meets the needs of future residents and is sensitive to its context. This includes responding to existing residential neighbours and to the townscape, which includes nearby Conservation Areas and a Grade I Listed building. The scheme is underpinned by a detailed analysis of the Urban

Design context, and by various technical studies that will ensure the amenity standards of neighbouring residents are not harmed.

- 7.8 The final scheme will deliver quality housing to its residents, all of which will meet the Mayor's Housing Standards and achieve Lifetime Homes. It will also include wheelchair housing. The scheme will achieve the requirement for sustainability, meeting the Code for Sustainable Homes Level 4 standard.
- 7.9 For the local area, the quality of the design and architecture, set within greened, landscape grounds, will be of significant long term benefit to the townscape.

# Appendix 1

## **Draft s106 Heads of Terms, Community Infrastructure Levy, and Conditions**

At the time of submission of the application, Camden has not yet implemented plans to charge the Community Infrastructure Levy (CIL) in the Borough, with the exception of the Mayor's CIL Charge which has been in place since March 2012.

The Council is, however, expecting to introduce its own CIL charge in March 2015.

This appendix presents two scenarios: the suggested s106 Heads of Terms and other contributions that would be sought if (i) planning permission is granted prior to Camden CIL coming into effect, and (ii) planning permission is granted post implementation of Camden CIL.

The draft Heads of Terms set out below reflect the requirements of *Camden Planning Guidance 8 (CPG8) – Planning Obligations*, pre-application advice from officers, and discussions with residents.

The Council must be satisfied that obligations comply with Regulation 122 of The Community Infrastructure Levy Regulations 2010 (as amended); i.e. that the obligations are:

- 1 necessary to make the development acceptable in planning terms;
- 2 directly related to the development; and
- 3 fairly and reasonably related in scale and kind to the development.

Having regard to these, Fairview will negotiate on the following terms under the two scenarios.

### **Scenario 1 – No Camden CIL**

#### **Draft s.106 Head of Terms**

##### **1. Affordable Housing provision**

See Assessment section above.

##### **2. Education**

Fairview would ask LBC to clarify the necessity of a contribution to school places based on existing capacity in the Borough, noting that the July 2014 report on the Annual Schools Places Planning Process, July 2014 stated that:

*“The conclusion of the analysis is that for both primary and secondary phases, there are sufficient school places in the borough until at least the end of the current reporting period (2023/24), once the Council’s plans for new and expanded schools have been implemented.”*

### **3. Community use**

The former community use has been replaced and therefore there is no need to re-provide this on site. In the context of Development Policy DP15 and CPG 8, Fairview will discuss a possible contribution to community facilities subject to LBC’s clarification of need and how a contribution would be used.

### **4. Public open space**

Planning policy does not require the provision of on-site public open space within the Lawn Road development. Policy does require that schemes of more than 5 dwellings provide an “appropriate contribution” to the supply of open space. Fairview will negotiate a contribution based on the formula in CPG 8, taking into account provisions for wider highway and environmental improvements below.

### **5. Highway (footpath) and environmental improvements**

At the request of LBC, Fairview is willing to agree a financial contribution for repaving footways around the site and reinstating footways across redundant cross overs.

At the request of LBC, Fairview is willing to agree a financial contribution towards environmental improvements directly adjoining the site, where these comply with the statutory tests.

### **6. Local employment / training contribution**

Where loss of employment use will result in the loss of jobs, CPG8 requires a contribution towards training and employment measures. Fairview agrees to contribute towards such measures, based on the formula in CPG8.

### **7. Non-financial heads of terms or conditions**

Fairview is willing to negotiation commitments under the following headings:

- Preparation and compliance with Demolition and Construction Management Plan
- Preparation and compliance with Servicing Management Plan
- Preparation and compliance with Travel Plan
- Implementation of Energy Strategy
- Implementation of Sustainability Strategy
- Management and maintenance of the mosaic

- Maintaining the development as car-free
- Commitment to working with Camden to optimise, where possible, local employment and training opportunities.
- Commitment to LBC's Local Procurement Code

The NPPF states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Many of the above can be enforced via condition, and we would seek to negotiate with LBC on this basis. They are included above for completeness.

## **8. Processing charge**

Fairview agrees to pay the processing charge based on the CPG8 formula.

## **9. Mayor of London (Crossrail) CIL**

In line with the Mayoral CIL which took effect on 1 April 2012, Fairview will to pay a financial contribution, based on the current chargeable rate of £50/m<sup>2</sup> (linked to BCIS index) towards the provision of Crossrail.

### **Scenario 2 – with Camden CIL**

Camden is proposing to introduce its own CIL charge by March 2015. This will sit alongside the Mayor's CIL and s106 agreements, which are intended to be scaled back to deal with site specific requirements only.

The following balance of contributions might be expected.

## **Community Infrastructure Levy**

### **1. Camden CIL**

Fairview will make the necessary CIL payment required on the basis of LBC's published charging schedule, assuming this is in effect at the grant of planning permission.

### **2. Mayor's CIL**

In line with the Mayoral CIL which took effect on 1 April 2012, Fairview will to pay a financial contribution, based on the current chargeable rate of £50/m<sup>2</sup> (linked to BCIS index) towards the provision of Crossrail.



## **Draft s.106 Heads of Terms**

### **3. Affordable Housing provision**

See Assessment section above.

### **4. Highway (footpath) and environmental improvements**

At the request of LBC, Fairview is willing to agree a financial contribution for repaving footways around the site and reinstating footways across redundant cross overs.

At the request of LBC, Fairview is willing to agree a financial contribution towards environmental improvements directly adjoining the site, where these comply with the statutory test.

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- Preparation and compliance with Travel Plan
- Implementation of Energy Strategy
- Implementation of Sustainability Strategy
- Management and maintenance of the mosaic
- Maintaining the development as car-free
- Commitment to working with Camden to optimise, where possible, local employment and training opportunities.
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