

Delegated Report		Analysis sheet		Expiry Date:		11/08/2014	
		N/A / attached		Consultation Expiry Date:		30/04/2014	
Officer				Application Number(s)			
Hugh Miller				2014/2113/P			
Application Address				Drawing Numbers			
Third Floor and Roof Level 40-42 Parker Street London WC2B 5PQ				See Draft decision notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Change of use at third floor level from business floorspace (Class B1a) to residential (Class C3) and erection of 2 storey roof extension with terraces, in connection with creation of 6 (2x1, 3x2 & 1x3 bed) flats.							
Recommendation(s):		Refuse					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	32	No. of responses	01	No. of objections	00
				No. electronic	01		
Summary of consultation responses:		<p><i>Site Notice displayed 11/04/2014, expired on 02/05/2014 & press advert 17/04/2014, expired 02/05/2014</i></p> <p><u>23A Great Queen St - Comment</u> Please could it be registered in the files that we are a Video production company and as a result we sometimes edit late into the night and have our sound suite on. The new residents should be made aware of this before they purchase/lease the flats.</p>					
CAAC/Local groups* comments: *Please Specify		<p><u>Covent Garden CAAC: Objection</u></p> <p>The extension should be limited to one storey. The proposed top floor unbalances the building as a whole.</p> <p>Covent Garden Community Association states it has no objection.</p>					

Site Description

The site is located on the southern side of King's Cross Road with the rear boundary wall abutting St Chad's Place. It comprises commercial use at ground floor level and a self-contained flat at first and second floor levels.

The area is characterised by a mix of commercial premises, including offices and ground floor retail units with residential uses to the upper floors of some properties on Kings Cross Road. The building is not listed; the building and terrace (nos.183-199) is described as a positive contribution to the special character and appearance of Kings Cross Conservation Area.

Relevant History

March 1989 PP Granted - Addition of part third floor extension and plant room at roof level addition of ground floor extensions at side and rear covering existing passageway and alterations to elevations for use for B1 purposes; ref. 8800557

February 1991 PP Granted - Alterations to the design of third floor mansard extension as an amendment to the scheme which received planning permission on 2nd March; ref. 9000527

Nearby development at Parker House, 25 Parker Street – August 2013 PP Granted - Redevelopment of the site to provide 43 residential units (40 x private and 3 x affordable) within a six storey plus basement building and retention of the existing façade to Parker Street, following demolition of the existing hostel accommodation and former Aldwych Workshops on Parker Mews and associated storage, cycle parking, refuse and landscape works (Class C3); ref. 2012/6132/P.

Relevant policies

LDF Core Strategy and Development Policies

- CS1 - Distribution of growth
- CS3 - Other highly accessible area
- CS5 - Managing the impact of growth and development
- CS6 - Providing quality homes
- CS8 - Promoting a successful and inclusive Camden economy
- CS9 - Achieving a successful Central London
- CS11 - Promoting sustainable and efficient travel
- CS13 - Tackling climate change through promoting higher environmental standards
- CS14 - Promoting high quality places and conserving our heritage
- CS18 - Dealing with our waste and encouraging recycling
- CS19 - Delivering and monitoring the Core Strategy
- DP1 – Mixed use development
- DP2 – Making full use of Camden's capacity for housing
- DP5 - Homes of different sizes
- DP6 – Lifetime homes and wheelchair homes
- DP13 - Employment premises and sites
- DP17- Walking, cycling and public transport
- DP18 – Parking standards and limiting the availability of car parking
- DP20 - Movement of goods and materials
- DP21- Development connecting to the highway network
- DP22 - Promoting sustainable design and construction
- DP24 - Securing high quality design
- DP25 - Conserving Camden's heritage
- DP26- Managing the impact of development on occupiers and neighbours
- DP28 – Noise and vibration

Supplementary Planning Policies

Camden planning Guidance (CPG) 2011/2013

CPG1/ Design, CPG2/ Housing, CPG3 / Sustainability, CPG5/ Town Centres, Retail and Employment, CPG6 /Amenity, CPG7 /Transport, CPG8/ Planning Obligations

Covent Garden Conservation Area Appraisal and Management Strategy 2011

National and Regional Guidance

London Plan 2011

National Planning Policy Framework (March 2012)

Assessment

1.0 Background

1.1 On the 02/10/2014, the proposal was discussed by the Development Control Committee (DCC) and members requested additional information plus asked officers to add a further informative to address amenity for their consideration at a future committee. Their request comprises the following:

a] marketing evidence and justification for the loss of employment regarding the quality of the floorspace; and more particularly the criterion set out in CPG 5, section 7.4, bullet 7 and section 7.18 in particular regard to bullet 8. b] additional drawings showing views of the extension from the east and west sides of the street; c] include an informative to ensure the new residents are aware of the likely occasional noise disturbance associated with neighbouring premises at 23A Great Queen Street (rear of the application site); d] details of the surrounding uses nearby and any modern roof extensions.

1.2 The above request was relayed to the applicant who submitted east and west orientated views of the proposed extension and slightly modified marketing information that was originally submitted; but omitted to address bullet points 7.18 and 8 of CPG5.

1.3 Officers further requested the marketing information but this was not submitted; instead the applicant informed the Council that an appeal has been submitted to the Planning Inspectorate on grounds of non-determination.

1.4 With regards to the use of adjacent buildings and recent approved roof extension development, it transpires that a] at the rear of the site, numbers 19-21, 23A, 24, 25 and 26 Great Queen Street are in residential uses on the upper floors with commercial use at ground floor level; and b] the most recent approved scheme lies opposite; the redevelopment of Parker Street House (see history section above); and no other development at roof level was identified.

1.5 It is acknowledged that the application missed its original statutory decision date (19/05/2014) owing initially to officer workload but more latterly; owing to a busy committee agenda which meant that the application was only discussed in October.

1.6 It should be noted that the DCC did not object to the proposal in principle, it wanted more clarity on the loss of the business floorspace to aid its decision.

1.7 With the exception of the modified layout (loss of employment), paragraphs 3.2 - 3.19, which members expressed a preference for, and the substantive assessment of the proposal remains unaltered. Notwithstanding and without prejudice, the heads of terms for the s106 legal agreements will form reasons for refusal.

2.0 Proposal

- ✓ *Change of use at third floor level from business floorspace (Class B1a) to residential (Class C3) and erection of 2 storey roof extension with terraces, in connection with creation of 6 (2x1, 3x2 & 1x3 bed) flats.*

3.0 ASSESSMENT

3.1 The principal considerations material to the determination of this application are summarised as follows:

- Loss of office floorspace (Class B1a) and the principle of the replacement residential use,
- Housing mix,
- Residential standards / quality of new residential units,
- Design / 2-storey extension and terraces/ & impact on the conservation area,
- Residential amenity,
- Traffic and parking, servicing, cycle parking and refuse storage,
- Sustainability,
- Other matters / Section 106 legal agreement

Loss of office floorspace (Class B1a) and the principle of the replacement residential use

3.2 The proposal involves the loss of 238sqm of business floorspace at the 3rd floor level. Meanwhile, 714sqm business floorspace will be retained over three floors at the ground, 1st and 2nd floor levels of the existing building. The proposed includes extension at roof level to provide 2 additional storeys plus roof terraces at the front and rear elevations. The proposed residential units would share the existing means of access.

3.3 As the site is located in the Central London Area and within an area defined as 'Other Highly Accessible Areas' the proposals need to be assessed against policies CS1 and CS3, respectively.

3.4 Policy CS1 aims to focus growth and development in the most suitable locations, including highly accessible areas within central London. In addition, this policy expects '*the provision of a mix of uses in suitable schemes, in particular in the most accessible parts of the borough, including an element of housing where possible*'. The proposal is considered to comply with Policy CS1 given its highly accessible location in central London. With regard to the provision of a mix of uses in such areas, the policy refers specifically to schemes which are suitable for a mix of uses. This proposal is for a mix of uses (*residential & employment*) and it is therefore considered acceptable in this highly accessible area.

3.5 Subject to the employment loss justification being acceptable then the proposed replacement residential use would be strongly supported with particular regard to policy CS6 which regards '*housing as the top priority when considering the future of unused and underused land and buildings*' (Core Strategy section 6.18.); i.e. The priority the Council gives to housing will not override, but will be considered alongside:

- a. the need to protect some non-residential uses, such as industry, warehousing, community uses and shops across the borough;
- b. the need to promote Central London as a national and international focus of business, shopping, culture, education, healthcare and research; and
- c. the characteristics of specific areas, sites and properties.

Use of site

3.6 A purpose built B1a business/office building erected around the turn of 20th century. Three floors of business floorspace use would be retained. Currently the 3rd floor is occupied by an existing tenant but is limited to a rolling 6 month contract. The entire site is in B1(a) use and the total floorspace totals 952sqm.

Loss of employment floorspace

3.7 When assessing the loss of employment floorspace, the requirements of Core Strategy policy CS8 and Development Policy DP13 must be considered. Although CS8 has a general presumption to resist the loss of employment space, DP13 advises that it may be acceptable change to a non-business use if:

- a) *it can be demonstrated that the building is longer suitable for its existing business use, and*
b) *there is evidence demonstrating that the building has been marketed for a similar or alternative business use over an appropriate period of time without success.*

DP13 part (a)

3.7 Section 13.3 of policy DP13 lists 9 key requirements that should be considered when assessing whether a business use should continue or not. A change to a non-business use may be justified if the requirements are not met, which are listed and considered separately below.

- *Is the site located or adjacent to the Industry Area, or other locations for large scale industry and warehousing? - No*
- *Is in a location suitable for a mix of uses including light industry and local distribution warehousing? - No*
- *Is easily accessible to the Transport for London Road Network (TLRN)?- Yes*
- *Has potential to be serviced by rail or water? - No, vehicular only*
- *Has adequate on-site vehicle space for servicing? - No*
- *Is well related to nearby land uses? - No, the surrounding uses are noise/vibration/pollution sensitive residential & commercial uses. Therefore light industrial, industrial or warehousing would not be appropriate, only B1a office would be appropriate*
- *Is in a reasonable condition to allow the business use to continue? The site could allow business use to continue although the site would require significant upgrade and refurbishment works of both the services and the layout of the building in order to bring it up to modern standards and compete with more modern office floorspace nearby.*
- *Is near to other industry and warehousing, noise/vibration generating uses?- No.*
- *Provides a range of unit sizes for small businesses (under 100sqm)? - Yes, the site could potentially be subdivided to provide a range of unit sizes.*

3.8 Out of the 9 requirements listed, the current building fails to meet 6. Consequently a strong justification exists for potential redevelopment of the 3rd floor to a non-business use.

3.9 In support of the policy DP13 requirements, Camden Planning Guidance 5 (CPG5) go further to categorise employment sites in the borough. Category 1 is the highest quality, most rare and will always be protected. Category 3 is the lowest quality; most common and once empty are generally in need of significant investment to bring back into viable use. Following an inspection by officers, the building and site can reasonably be categorised between 2 and 3. Importantly, a consideration under Category 3 is as follows:

- small, isolated premises; - No
- poor access - narrow streets, small doors, steps; - Largely Yes
- no goods lifts; - Yes, small passenger
- little or no space for servicing; - Yes
- incompatible neighbouring uses (most often residential); - Yes mixed and
- lower ground or basement level. - No

3.10 It is noted that Category 3 sites may not be suitable for continued industrial use when they become empty or need significant investment, although they could be suitable for office B1(a) space. Based on the above, this application site would not be in compliance with the criterion for category 3. Necessary works would include the sub-standard nature of the floorspace, in terms access, dedicated space for cabling; no voided ceilings for air handling equipment and no vertical service riser for modern communication or server support.

3.11 In summary, the requirements of policy DP13 part (a) and guidance under CPG5 demonstrate that there substantial works are required for the site to be attractive for modern day occupants a significant refurbishment would be necessary. This subsequently demonstrates that the site is not

suitable for any other uses other than B1a offices, as such a permanent change of use to housing is supported by policy DP13.

DP13 part (b)

3.12 Notwithstanding the justification for a permanent change to housing outlined above, the applicant has also undertaken a marketing exercise to further evidence that a change of use from employment can be supported. The submitted marketing information lacked precise dates but it was considered sufficiently useful in this instance for consideration of the proposal.

3.13 At the time of the officer site visit the 3rd floor level was seen to be partially occupied as business floorspace use. However, the applicant has explained that it is let to an existing tenant of the building on a short term basis, after a separate unsuccessful marketing exercise was undertaken for the space. Locational factors and incompatibility with nearby uses were stated as to why the space was not let. The applicant has provided evidence to demonstrate various physical deficiencies with the third floor space neither providing, nor being capable of providing, high quality modern office floorspace. Factors include the sub-standard nature of the floorspace, in terms access, dedicated space for cabling; no voided ceilings for air handling equipment and no vertical service riser for modern communication or server support. Owing the above factors, the applicant has indicated that the current occupier would vacate the 3rd floor within the next 6 months. Furthermore, supply and demand data of the local area has been provided, which concludes that supply is more than sufficient for demand in this specific area. With the above in mind, it is considered that the applicant has adequately justified the loss of office accommodation at this floor of the building.

3.14 As indicated above paragraphs 1.1 – 1.2, not all the additional information requested by the DCC was submitted; and key information addressing CPG section 7.4 and bullet point 7; “*whether the premises currently provide accommodation for small and medium businesses*”; and section 7.18 bullet point 8 “*Where there is an existing employment use then we will require evidence that the tenant intends to move out*” were omitted. In absence of this vital information it is considered that the applicant has failed to demonstrate that the loss of business floorspace has been fully justified and it is therefore not in compliance with policy DP13 and CPG 5.

3.15 Policy CS8 seeks to secure a strong economy in the borough by (amongst other things) safeguarding existing office premises in the borough which meet the needs of modern industry and employers. However, more specifically paragraph 8.8 indicates that the Council are promoting sufficient office space to meet projected demand, and so there is a general presumption that older office spaces can be released where housing or community uses are proposed.

3.16 DP13 indicates circumstances under which the Council may allow a change to non-business use, namely where premises are not suitable for their existing use and there is evidence that the possibility of re-using or redeveloping the site for alternative business use is not appropriate. These policies are supplemented by CPG5, which provides more detailed guidance, including a further checklist of considerations and details of marketing expectations. The checklist of considerations include: a) the age of the premises; b) features for modern accommodation; c) quality / purpose built; d) existing tenants relocating; e) location / demand in location; f) small and medium business accommodation. Some of these have been identified by the applicant as noted in the para.3.13 above.

3.17 Additionally, reference is made to National Planning Policy Framework (NPPF); specifically paragraph 51, which states that local planning authorities should “*normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) 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*”.

3.18 In addition, DP13 details that where a change of use has been justified to the Council’s satisfaction, it will require for some business use to be maintained on site. This has been incorporated within this proposal, with the ground to second floors remaining in office use.

Conclusion

3.19 Generally, the proposal (new residential units, design, scale and bulk of extension) is considered to be largely in accordance with council policies. The loss of business floorspace however has not been fully justified as indicated above paras. 1.1 – 1.2 & 3.14; the information relating to the occupier of the 3rd floor level was not provided and whilst the broad thrust of the proposal could be considered to be largely in accordance with policy the absence of that specific information to justify the loss of employment floorspace has not been established; the proposal is not in compliance with policies CS8 and DP13. This absence of information will form a reason for refusal.

Principle of new housing

3.20 With regards to new housing provision Council policy CS6 states that the Council will aim to make full use of Camden's capacity for housing by a) maximising the supply of additional housing to meet or exceed Camden's target, and b) regard housing as the priority land-use. Similarly, LDF Policy DP2 (f) seeks to maximise the supply of additional homes in the Borough. This application proposes the provision of six new residential accommodations and is therefore in accordance with this policy.

Housing mix

3.21 Policy DP5 states the Council expects a mix of large and small homes in all residential developments and will seek to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priorities Table (DSPT). The DSPT indicates that market housing with 2- bedroom units are the highest priority and most sought after unit size. The proposals are for 2x1, 3x2 and 1x3 bed units. This is considered an appropriate mix in the context of this residential conversion scheme. The scheme will provide a mix of small and large (family sized) units, with a priority towards 2-bed units.

Residential standards / quality of new residential units

3.22 All flats are in excess of the minimum sizes for dwellings as outlined in the Camden Planning Guidance (see table below). The 2x 1 bed flats have double bedrooms (12.0-14.5sqm) and large open plan siting/dining /kitchen rooms (17.5sqm-20sqm). The 2-bed units (Flats 1, 2 and 6) are also generously sized, with double bedrooms (10.5sqm-18.5sqm) plus open plan siting/dining /kitchen rooms (22sqm -29.0sqm). Flat 5 has 3 bedrooms 2 double + 1x single bedrooms (9.6sqm, 11.0sqm & 15sqm) plus large open plan siting/dining /kitchen room (30sqm); and dual aspect views owing to it being on two levels. Together with the stacked habitable rooms and suitable internal floors to ceiling heights, the residential layout is compliant with CPG guidelines.

Location	Flat	No. of Bedrooms Proposed	No. of Persons Proposed	Proposed size (NFA)	CPG Minimum Standards
3 rd floor	Flat 1	2	4	85 sqm	75sqm
	Flat 2	2	4	83 sqm	75sqm
	Flat 3	1	1	43 sqm	32sqm
4 th floor	Flat 4	1	2	59 sqm	32sqm
4 th & 5 th floors	Flat 5	3	6	106sqm	93sqm
	Flat 6	2	4	82sqm	75sqm

3.23 The applicant has submitted a Lifetime Homes assessment as part of the submission. The information provided indicates that all but 7 of the 16 standards would be able to be met. Shortcomings are generally owing to the physical elements of converting the third floor to residential within an existing commercial building. It is considered that the proposals have made best endeavours to meet the policy DP6 lifetime homes standards. A condition is recommended to ensure the standards sought will be met in practice.

3.24 The existing entrance on Parker Street will be shared between the two sets of occupiers; so too the lift and staircase core. Although acknowledged not to be an ideal scenario, it is nevertheless considered satisfactory. In terms of refuse facilities for future occupiers, all the flats would have internal dedicated waste and re-cycling storage facilities. The occupants would manage their waste disposal in line with the current on-street arrangements, which is considered suitable given the context of the proposals.

Design – 2-storey extension and terraces/ & impact on the conservation area

Roof extension /Terraces

3.25 The host building forms a terrace with nos. 34 -46 Parker Street on the south side; and except for the plant room extension of the host building plus staircase projection at nos. 34-38 the group of buildings share a similar height. The building is not explicitly identified to be a positive contributor in the Conservation Area statement. However, No. 42 Parker Street is nonetheless an attractive historic building in gault brick with red brick dressings, with flat-arched window heads to the lower floors and Italianate round-headed windows to the top floor. No. 40 Parker Street is similarly composed, but constructed of stock brick. The character of this part of Parker Street is relatively low rise and unenclosed, with small-scale 19th-century commercial buildings of three to five storeys. On the east side No. 46, the part 4-storey contemporary design office building with rendered finish abuts the host building. On the opposite side (north), the buildings heights also vary with no cohesion or consistent pattern of roof form (mansard, part gable /pitched/ flat). Nos. 39-41 has a mansard roof extension and more recently no. 25 (Parker House) gained approval for contemporary designed extensions at the roof level (see relevant history section above).

3.26 The proposed two-storey roof addition would increase the height (from 14m to 19.5m, an increase of 5.5m) of the building; it would match the height with no.38 staircase tower. It is considered in overall terms to be satisfactory, due to its sensitive design, overall scale and proportions and siting within the street. More specifically, on the Parker Street frontage, owing to the staggered footprint proposed, the extension would set back behind the raised parapet by approximately 1.6 -1.9m at 4th floor level and a significant 5.5 - 5.7m at 5th floor level. The setback at the front has been designed in order to limit its scale and visible bulk from the public realm and private views from neighbouring residential buildings. It is considered to achieve this satisfactorily. At the rear 4th and 5th floor levels, the extension would setback satisfactorily behind the parapet by approximately 0.85m and 1.5m.

3.27 The extension would comprise light-weight materials of zinc cladding, metal framed fixed pane opaque glazing, metal framed sliding glazed doors, glazed balustrades and sedum roof. The proposed roof extension in terms of its design, materials and height is in general accordance with CPG roof extension guidelines for the reasons set out above, and is considered appropriate in terms of the building itself, the streetscene and wider conservation area.

3.28 The balustrades to the terraces on both levels would setback approx. 0.8m and 3.8m. Whilst roof terraces are acknowledged not to be characteristic of the buildings in the area, the roof terraces and glazed balustrades would be obscure from view at the front from the public realm. It is nevertheless noted that they would be visible in private views from upper floors at both the front and rear. The design of the balconies/terraces is non-decorative so as not to compete or add unnecessary clutter. Furthermore, their simplicity of design would minimise their visual prominence and they are thus considered to be appropriately subordinate in their appearance.

Replacement Plant/machinery

3.29 There are existing associated structures on the roof of the building that varies from plant machinery and a lift motor extension. The lift over-run plus stair access would be concealed within the proposed roof addition. The proposed replacement plant machinery will be single units located at 4th and 5th floor level rear on the terraces. The proposed plant units would be enclosed by the proposed balustrades and neighbouring buildings which are of varying heights. Moreover, the a/c units would not be visible from the public realm due to the height of the surrounding buildings. The plant

equipment would not have any detrimental impact on the appearance of the host building and is considered appropriate in these discreet locations.

4.0 Residential amenity

4.1 First in terms of overlooking to the rear of the application site, buildings in Great Queen Street form shared boundaries and they are largely in commercial use. It is considered that no harm in terms of overlooking would occur and the proposal is considered appropriate. To the front, the width of the public highway of Parker Street, together with the setbacks of the proposed roof extension, is considered to be sufficient in mitigating any harmful impacts of overlooking at this point.

4.2 The accompanying daylight & sunlight report indicate that all but one window at the rear elevation of nos.34-38 Parker Street is in compliance with BRE guidelines. The 1 window (1 at 3rd floor) that would experience loss of sunlight is located close to the existing projecting wing. The BRE guidance considered that where windows are located unreasonably close to its own boundary they are not treated in the same way as those built a reasonable distance from the boundary. In this regards the proposal is considered appropriate.

4.3 The applicant has submitted an acoustic noise report owing to the external plant proposed on the rear which has demonstrated that **a]** the resident occupiers would not experience adverse noise disturbance; owing to the provision of secondary and double glazing of the existing and proposed extensions; and **b]** the acoustic report recorded the prevailing lowest background noise would be in line with the Council's CPG recommended noise levels for both the nearby residential and office uses; and therefore no noise mitigation is required. A condition is however recommended so as to enable enforcement action to be taken should the plant be noisier than anticipated.

4.4 The Council's Environmental Health officer is satisfied that with the acoustic report as the plant will be in compliance with the Council's required standards subject to the usual conditions which will ensure that should the plant be noisier than anticipated, the local planning authority will have sufficient powers to take the necessary enforcement action if required. The proposal is in compliance with DP26.

4.5 In terms of noise and disturbance from the proposed roof terraces, these are all limited in depth, thereby creating relatively narrow rectangular shaped terraces. As such, the extent of noise and disturbance from such terraces is considered to be limited.

5.0 Sustainability/Biodiversity

5.1 As the scheme proposes to create 6 residential units a sustainability pre-assessment is required. The applicant has submitted a Code for Sustainable Homes pre-assessment, rather than a Bream Domestic Refurbishment pre-assessment, as the majority of the proposed floorspace is created by the new roof addition. This should meet a minimum 'Level 4' overall rating, with 50% of credits in the energy, water and materials categories. The submitted pre-assessment indicates that a 'Code Level 4' score can be achieved with a total of 68 points. In terms of the specific categories, these are all met (Energy 51.1%; Water 66.7% & Materials 75.0%). This is welcomed and a full design stage appraisal and post-construction review will be secured via a legal agreement to ensure that all of the outlined scores are achieved.

5.2 In terms of an energy strategy, the applicant has also provided information indicating that the conversion plus extension of the building would see considerable carbon emission reductions. This is in terms of a combination of 'be lean', 'be clean' and 'be green' measures. More specifically, the 'be lean' measures of window/external wall U values and design air permeability are particular features which will assist the energy efficiency of the building. In overall terms there will be a reduction in carbon emissions of between 28% and 32% (individual scores for different flats have been calculated). Although this is acknowledged to be below the target of the LDF and London Plan (40%), this is primarily owing to the constraints of the existing building in the context of the proposals. With

this in mind, this element is considered to be satisfactory, with the legal agreement securing all energy measures in full and seeking 'best endeavours' for the applicant to get to as close to 40% carbon reductions as possible.

5.3 Linked to these matters, the proposal would incorporate green roof, which would further enhance the buildings sustainability. Full details will be secured via condition. In absence of such an agreement this forms a reason for refusal.

6.0 Transport/highways

6.1 The Council's cycle parking standards require the provision of at least one cycle parking space per unit. The proposal has included the provision of 6 cycle spaces, one each within each flat. There is sufficient space in the lift to the upper floors for the bicycle to be transported from the street to each flat. This provision is in compliance with policies CS11 and DP17. A condition is recommended to ensure the cycle parking is provided prior to the occupation of any of the new residential units.

6.2 No onsite car parking is proposed for the new residential units as this is not possible due to site constraints reasons. Moreover, the host building is located within a controlled parking zone and is easily accessed by public transport, while also being close to a wide range of amenities. The site has a Public Transport Accessibility Level (PTAL) of 6b (excellent). Therefore, the new units are to be made car-free through a Section 106 planning obligation. Owing to the lack of suitable information in support of new residential units and in the absence of an s106 carfree agreement will form a reason for all schemes' refusal.

7.0 Construction Management Plan

7.1 Where it's considered expedient and necessary a Construction Management Plan (CMP) would be required to manage the developments impact on the highway network. The proposal includes significant internal alterations at third floor level plus provision of 2 additional storeys to the building. This will result in a large number of construction vehicle movements to and from the site, which would have a considerable impact on the local transport network. Moreover, the application site is opposite 25 Parker Street, which has an extant permission for significant redevelopment. As such, there is potential for cumulative impacts of developments coming forward at the same time in the area, which needs to be carefully managed. As such, a full CMP will be secured via s106 legal agreement. Linked to this, a highways contribution to repave the footway adjacent to the site will also be secured via S106. This is in-case the implementation of the scheme causes harm to the highway during the construction process. The estimate for the financial contribution is yet to be confirmed at the time of writing. However, it is considered that due the scale and kind of development and the likely method of construction that a Construction Management Plan (CMP) is considered necessary in order to mitigate any adverse impacts on pedestrians and local traffic. The absence of an s106 agreement for construction management plan will form a reason for the schemes' refusal.

8.0 Other matters/ Section 106 legal agreement

8.1 Education Contribution: All residential developments involving a net increase of 5 or more units will normally be expected to provide a contribution towards education provision in the Borough. The contribution sought is proportionate to the size of dwellings proposed, and is not sought for single-bed units, as these are unlikely to house children. Based on the current unit numbers [3 x 2 bed units] 3 x £2,213 = £6,639 and 1x 3 or 1 x £6,322 (+ £6,322) therefore = £12,961 is sought which will be secured via S106 legal agreement. In absence of such an agreement this forms a reason for refusal.

8.2 Open space contribution: No open space provision is to be provided on-site. This is acceptable given the constraints; therefore a financial contribution is calculated in line with the CPG formula. This equates to £7,863, which must be secured by the s106 legal agreement. In absence of such an agreement this forms a reason for refusal.

9.0 Community Infrastructure Levy (CIL)

9.1 The proposal will be liable for the Mayor of London's CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

10. CONCLUSION

10.1 The principle of the loss of the business floorspace at the 3rd floor level is not considered to have been sufficiently justified by the applicant as noted above paragraphs 1.1 -1.2 and 3.14. The proposed alternative residential accommodation is not supported by the Council's land use priority. In design terms, the proposed roof extension is considered appropriate in terms of bulk, height, form and detailed design. It is considered the additions will preserve the character and appearance of the existing building and the wider streetscene; and the character and appearance of the conservation area. The extension would not harm neighbour amenity in terms of overlooking, privacy or day/ sun light. The proposed residential accommodation would not harm neighbour amenity and is acceptable.

10.2 Planning Permission is recommended for refusal with the substantive S106 Legal Agreements form additional reasons for refusal and covering the following Heads of Terms:-

- Car free
- Education contribution of £12,961
- Open space contribution of £7,863
- Financial contribution to repave footway
- Construction Management Plan
- Code for sustainable homes design stage and post-construction review.
- Energy measures

Recommendation: Refuse planning permission

