



Photo 1 – View east



Photo 2 - Garages



Photo 3 – View north



Photo 4 – Trees behind site



<b>Delegated Report</b> (Members' Briefing)		<b>Analysis sheet</b> N/A / attached		<b>Expiry Date:</b> 15/09/2014		<b>Consultation Expiry Date:</b> 20/08/2014	
<b>Officer</b>				<b>Application Number(s)</b>			
Rob Tulloch				2014/4698/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
8-9 Oak Village London NW5 4QR				See decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Erection of a 2 storey office building following the demolition of existing lock up garages.							
<b>Recommendation(s):</b>		Grant Planning Permission Subject to a Section 106 Agreement					
<b>Application Type:</b>		Full Planning Application					
<b>Conditions:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>15</b>	No. of responses	<b>2</b>	No. of objections	<b>2</b>
<b>Summary of consultation responses:</b>		<p>Site notice 30/07/2014-20/08/2014 Press advert n./a</p> <p>Nos. 4 and 7 Oak Village object to the provision of a garage which will lead to the loss of an on-street parking space. No. 4 also objects to the impact on trees, and questions whether remaining trees will be sufficiently protected. They also object to the yellow colour of the proposed building. No. 7 welcomes the replacement of an "eyesore" with a new useful building.</p> <p>Officer response: The provision of a garage and the loss of an on-street parking space are addressed in sections <u>5.1 &amp; 5.2</u>. Tree officers accept the loss of scrub growth, and are satisfied the submitted arboricultural information demonstrates the remaining trees can be properly protected (see section <u>6.2</u>)</p>					

<p><b>CAAC/Local group comments:</b></p>	<p>Elaine Grove and Oak Village Residents' Association (EGOVRA) have concerns about the impact on trees and request that conditions ensure adequate tree protection, and that any trees removed should be replaced. They suggest London stock brickwork be used for the flank elevation of the building and that this be secured by condition. They object to the garage as it is unnecessary and would result in the loss of an on-street parking contrary to DP19.</p> <p>Officer response: A condition will require details of facing materials to be submitted to and approved by the Council (see section 3.3).</p>
--	--

**Site Description**

The site is occupied by a row of four garages at the northern end of Oak Village, between Mansfield Road and Hemingway Close. Immediately to the north of the site is a 1A Mansfield Road, a three storey corner building comprising a coffee shop on the ground floor and flat above. Behind the site is Oak Village Railway Embankment, a pocket of designated open space which forms part of the larger Gospel Oak Railsides Site of Nature Conservation Importance (Borough Importance – Grade I). The site is not within a conservation area, but to the south of Mansfield Conservation Area. To the south and east of the railway lines the area is predominantly low storey residential, on the other side of the railway to the north is Parliament Hill, and to the west is the Kentish Town Industrial Area.

**Relevant History**

2004/3065/P Demolition of existing storage/garages and erection of two storey office building (B1) including integral garage.

This application was refused on 17/09/2004, the sole reason for refusal being “The proposed development would lead to damage to the adjoining site of nature conservation importance, as identified in the London Borough of Camden Unitary Development Plan 2000 (the UDP), in particular the likely loss of, or serious damage to, a large ash tree which is protected by a tree preservation order.”

A subsequent appeal was allowed. The Inspector considered that the affected tree would have a good chance of survival, and if it were lost the benefit of redeveloping the site would outweigh the harm caused by its loss, and there would remain a backdrop of trees on the embankment.

PEX0300203 Erection of two storey office building (B1) including integral garage. Refused 26/03/2004

8703311 Redevelopment by the erection of a two-storey building for class B1 business. Granted 01/09/1988

**Relevant policies**

- LDF Core Strategy and Development Policies**
- CS5 Managing the impact of growth and development
  - CS8 Promoting a successful and inclusive Camden economy
  - CS11 Promoting sustainable and efficient travel
  - CS13 Tackling climate change and promoting higher environmental standards
  - CS14 Promoting high quality places and conserving our heritage
  - CS15 Protecting and improving our parks and open spaces & encouraging biodiversity
- 
- DP13 Employment sites and premises
  - DP26 Managing the impact of development on occupiers and neighbours
  - 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

DP24 Securing high quality design

DP31 Provision of, and improvements to, open space, and outdoor sport and recreation facilities

## **Camden Planning Guidance 2013**

### **NPPF 2012**

#### **Assessment**

#### **1 Proposal**

1.1 The proposal is for the erection of a 2 storey office building following the demolition of existing lock up garages.

1.2 An identical scheme was submitted in 2004 (ref 2004/3065/P). This was refused by the Council, but allowed on appeal. The only reason for refusal was the harm to a nearby tree, which the Inspector considered would be overridden by the benefits of redevelopment of the site.

1.3 The main issues are:

- Land use
- Design
- Amenity
- Transport
- Biodiversity
- Community Infrastructure Levy

#### **2 Land use**

2.1 The provision of new employment space across the borough is welcomed in line with policies CS8 (Promoting a successful and inclusive Camden economy) and DP13 (Employment sites and premises), and the NPPF. There is a current regeneration programme for Gospel Oak which aims to address inequality in the area by working with local people and local businesses to improve employment opportunities, and the proposed development could provide up to 20 jobs. The Council's Economic Development team welcome the creation of employment space on this site, and members of the Gospel Oak Business Forum have commented on the wasted opportunity that this site represents and suggested that an active business use would be appropriate. In 2004 the Inspector recognised the value in redeveloping this long neglected site.

#### **3 Design**

3.1 The existing garages are in a poor state of repair and were described by the Inspector as dilapidated. They have not been used for vehicles for over 10 years and the pavement in front of them has been reinstated. They make a negative contribution to the character and appearance of the street scene, with peeling paintwork and graffiti, as such there is no objection to their loss.

3.2 The proposed building is modest in scale with an understated appearance. The proposed building measures approximately 14.7 (w) x 6.46m (h) x 4.8m (d). It would be 1.2m lower than 1A Mansfield Road which is on the corner of Oak Village and Mansfield Road and would remain the prominent building.

- 3.3 The proposed design takes a modern approach, with a rectilinear building utilising a variety of materials. At the front, the ground floor would be a combination of louvered windows above a brick base, alongside timber-clad doors. The louvered treatment would be continued on the first floor level. The side and rear elevations would be constructed in brick. The submitted plans show what appears to be stock brick and this would tie in with the predominant material in the street. A condition will require samples of all external materials to be agreed.
- 3.4 Although the site is adjacent to designated open space it is considered to respect the size and form of the space and would not cause harm to its wholeness, appearance or setting.
- 3.5 The proposed design was considered acceptable previously, and was not a reason for refusal. The proposal is considered to enhance the street scene, which apart from the adjacent public house, suffers from uninspired design and unsympathetic alterations. As such the proposal would comply with policies CS14 (Promoting high quality places and conserving our heritage) and DP24 (Securing high quality design), and associated planning guidance.

#### **4 Amenity**

- 4.1 The proposed building would abut the flank wall of 1A Mansfield Road and would have no impact on sunlight or daylight to this building. Nos. 6 and 7 Oak Village are residential properties to the south west of the site, but due to the modest height of the proposed building there would be no loss of light to these properties. Similarly the modest scale of the proposed building is not considered to affect outlook to other properties in Oak Village.
- 4.2 The closest windows to no. 7 Oak Village would be 15m away, which is slightly under the 18m recommended for interfacing habitable rooms, but Oak Village is a collection of narrow streets with many houses less than 15m away from each other, and an office use, due to its limited hours of operation, would not significantly contribute to a loss of privacy. No windows to 1A would face the proposed building.

#### **5 Transport**

- 5.1 The proposal would provide an internal garage with space for one vehicle. The applicant states that on-site parking is required for their business as a facilities management company which carries out property maintenance and repair. The provision of a garage would require the creation of a crossover and lead to the loss of one on-street parking space. Policy DP19 (Managing the impact of parking) states that the Council will resist off-street parking, and development that will reduce the amount of on-street parking, where it would cause unacceptable parking pressure, particularly in areas of identified parking stress.
- 5.2 The site is located in the Kentish Town West controlled parking zone (CPZ). The ratio of permits to parking spaces in the CPZ is 0.68 which indicates that the area does not suffer from parking stress. As such, in this instance it is considered that the loss of a parking space would not have a harmful impact on local parking conditions, and would comply with policy DP19. The existing garages have not been used for over 10 years so the loss of the garages would not put additional pressure on parking in the area.
- 5.3 The plans indicate space for two cycles at ground floor level. Due to the limited scale of the development, cycle storage is not required and therefore a condition securing it would be unreasonable, however the provision of such storage is welcomed.
- 5.4 The site is located on a cycle route and near the junction of Gordon House Road/Mansfield Road (B518). The proposed construction works are therefore likely to have an impact on

amenity (noise, vibration, air quality) and transport (traffic congestion and road safety). Therefore a construction management plan will be secured via a Section 106 agreement.

## **6 Biodiversity**

- 6.1 There are no trees on site, but the open space to the rear has dense vegetation including one protected tree (T1). The applicant has submitted an arboricultural report which indicates the removal of scrub growth (G3) and the pruning of the trees (T1 and T2).
- 6.2 Tree officers consider the removal of G3 to be acceptable as it is a mixture of elder and ivy and has little amenity value. The proposed pruning of the trees is also considered acceptable as this would only affect the south western side of T1 with minimal intervention to T2. It would only affect the lower sections of canopies that need to be removed to accommodate the new building. This would involve pruning up to a height of 8m, which is not considered harmful to the health of the trees, or their amenity value, as they are 15m in height. The arboricultural report includes detailed tree protection measures and a condition will ensure that the protection methods proposed are put in place and evidence of their implementation are submitted to the Council.
- 6.3 As the adjacent space is a Site of Nature Conservation Importance (Borough Importance – Grade I), the applicant has submitted an ecological survey to assess the impact of development on the site. This has been reviewed by an ecology officer who considers that the proposal would not have a harmful impact on the adjacent site as long as appropriate conditions relating to the timing of vegetation clearance, a lighting strategy and the incorporation of bird and bat boxes are attached.

## **7 Community Infrastructure Levy**

- 7.1 The proposal would provide approximately 120sqm of floorspace, and would therefore be liable for a CIL contribution.

- 8 Recommendation:** Grant Planning Permission Subject to a Section 106 Agreement for a construction management plan

### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 16<sup>th</sup> February 2015.  
For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'.**



PKS Architects LLP  
8 Cliff Road Studios  
Greenwood Place  
Kentish Town  
London  
NW1 9ANApplication Ref: **2014/4698/P**

11 February 2015

Dear Sir/Madam

**DRAFT**  
**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**Address:  
**8-9 Oak Village**  
**London**  
**NW5 4QR****DECISION**  
Proposal:  
Erection of a 2 storey office building following the demolition of existing lock up garages.  
Drawing Nos: Site Location Plan 001-00; 003-04; 003-05; 004-10; 004-20; 001-40; Design  
and Access statement dated June 2014; Arboricultural Report by John Cromar's  
Arboricultural Company Ltd dated 15th July 2014; Ecological Report by Quants  
Environmental Ltd dated January 2015

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

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

Condition(s) and Reason(s):

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan 001-00; 003-04; 003-05; 004-10; 004-20; 001-40; Design and Access statement dated June 2014; Arboricultural Report by John Cromar's Arboricultural Company Ltd dated 15th July 2014; Ecological Report by Quants Environmental Ltd dated January 2015.

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

- 3 Details of all facing materials (including the use of brickwork on the southern flank wall) shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun.

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

- 4 All work shall be carried out in accordance with the Arboricultural Report by John Cromar's Arboricultural Company Ltd dated 15th July 2014 and the relevant recommendations of British Standard 3998: 2010. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 5 Prior to the commencement of works on site, evidence in the form of a report and photographs demonstrating that tree protection measures have been implemented in accordance with the approved details, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees, and in order to maintain the character and amenity of the area, in accordance with the requirements of policy CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy.

- 6 Prior to first occupation of the development a plan showing details of bird and bat box locations (no fewer than 2 bat bricks to be installed on the eastern elevation integrated into the building, and no fewer than 6 bird boxes suitable for house sparrows as per the Ecological Appraisal, Jan 2015 completed by Quants Environmental Ltd) and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and

thereafter retained and maintained, unless prior written permission is given by the local planning authority.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (Consolidated with Alterations Since 2004) and Camden Planning Guidance 2006 and policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 7 Full details of a lighting strategy, to include information about potential light spill on to buildings, trees and lines of vegetation (demonstrating that no artificial light is directed onto the vegetation and mature trees in the SINC to the East), shall be submitted to and approved by the Local Planning Authority, in writing, before the development commences. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

Reason: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

- 8 All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

Reason: All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended).

#### Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

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

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

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

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

- 4 You are advised that the Transport Strategy Team should be consulted regarding the construction of the crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. tel: 020-7974 5543 for further advice and information.
- 5 This letter in no way prejudices the rights of the owner(s) of the tree(s) in question, whose consent should be obtained prior to the implementation of any works.
- 6 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests from construction works. For further information contact Natural England on 0300 060 4911 or [www.naturalengland.org.uk](http://www.naturalengland.org.uk).
- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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

Yours faithfully

Culture and Environment Directorate

**DRAFT**

**DECISION**