

Camden Planning Guidance

Amenity

London Borough of Camden

CPG 6



CPG6 Amenity

1	Introduction	5
2	Air quality	7
3	Contaminated land	15
4	Noise and vibration	19
5	Artificial light	25
6	Daylight and sunlight	31
7	Overlooking, privacy and outlook	37
8	Construction management plans	39
9	Access for all	45
10	Wind and micro-climate	53
11	Open space, outdoor sport and recreation facilities	59
12	Planning for healthy communities	79

1 Introduction

What is Camden Planning Guidance?

- 1.1 We have prepared this guidance to support the policies in our Local Development Framework (LDF). It is therefore consistent with the Camden Core Strategy and Development Policies, and is a formal Supplementary Planning Document (SPD) which is an additional “material consideration” in planning decisions. This guidance will replace Camden Planning Guidance 2006, updating advice where appropriate and providing new guidance on matters introduced or strengthened in the LDF.
- 1.2 Camden Planning Guidance covers a range of topics (such as design, housing, sustainability and planning obligations) and all of sections should be read in conjunction with, and within the context of, Camden’s other LDF documents.

Amenity in Camden

- 1.3 A key objective of the Camden Core Strategy is to sustainably manage growth so that it avoids harmful effects on the amenity of existing and future occupiers and to nearby properties.

What does this guidance cover?

- 1.4 This guidance provides information on all types of amenity issues within the borough and includes the following sections:
 1. Air quality
 2. Contaminated land
 3. Noise and vibration
 4. Artificial light
 5. Daylight and sunlight
 6. Overlooking, privacy and outlook
 7. Construction management plans
 8. Access for all
 9. Wind and micro-climate
 10. Open space, outdoor sport and recreation facilities

- 1.5 This guidance supports the following Local Development Framework policies:

Camden Core Strategy

- CS5 - Managing the impact of growth and development
- CS15 - Protecting and improving our parks and open spaces & encouraging biodiversity
- CS16 - Improving Camden’s health and well-being

Camden Development Policies

- DP26 - Managing the impact of development on occupiers and neighbours
- DP28 - Noise and vibration
- DP31 - Provision of, and improvements to, public open space and outdoor sport and recreation facilities
- DP32 - Air quality and Camden's Clear Zones

2 Air quality

KEY MESSAGES:

- All of Camden is a designated Air Quality Management Area due to the high concentrations of nitrogen dioxide (NO₂) and particulate matter (PM₁₀).
- All developments are to limit their impact on local air quality.

2.1 Poor air quality can harm health and the environment. The Council aims to make sure that new development does not harm air quality. This guidance provides advice on how to address air quality issues in planning applications.

2.2 Camden Core Strategy policy CS16 - *Improving Camden's health and well-being* and policy DP32 – *Air quality and Camden's Clear Zone* of the Camden Development Policies sets out our approach to air quality in the borough.

2.3 *Planning Policy Statement PPS23: Planning and Pollution Control* contains the Government's core policies and principles on air quality and air pollution. The London Plan outlines regional policies related to protecting local air quality during the planning process.



Air quality in Camden

2.4 An Air Quality Management Area (AQMA) must be declared by the local authority for an area that is unlikely to meet the national air quality targets for specific air pollutants. The authority then produces a Local Air Quality Action Plan. See Camden's website for our air quality plan.

2.5 The whole of Camden is an Air Quality Management Area (AQMA) as it does not meet national air quality targets for nitrogen dioxide (NO₂) and particulate matter (PM₁₀). The main sources of air pollution in Camden are road transport and gas boilers. The Council's Air Quality Action Plan outlines measures to reduce emissions from the key sources of air pollution in the borough. Included in the plan are measures to minimise and control NO_x and PM₁₀ emissions associated with new developments both during the construction of a building and its future use.

2.6 Air quality is particularly poor in the south of borough which is characterised by high levels of traffic. We will only grant planning permission for development that significantly increases travel demand in

the south of the borough where it includes appropriate measures to minimise the transport impact of development.

- 2.7 Where appropriate we will seek developments to include monitoring equipment to allow us to better understand local air quality.

WHAT DOES THE COUNCIL REQUIRE?

The Council's overarching aim is for new development is to be 'air quality neutral' and not lead to further deterioration of existing poor air quality.

You will be required to include mitigation and offsetting measures to deal with any negative air quality impacts associated with your development proposals. At the same time your development should be designed to minimise exposure of occupants to existing poor air quality.

To manage and prevent further deterioration of air quality in Camden, we will require an air quality assessment with planning applications for development that could have a significant negative impact in air quality. This impact can arise during both the construction and operational stages of a development as a result of increased NO_x and PM₁₀ emissions.

- 2.8 An air quality assessment will also be required for a proposal if it introduces uses that are susceptible to poor air quality, such as housing or a school, into areas of particularly poor air quality.
- 2.9 The Council will not grant planning permission for developments that could significantly harm air quality or introduce people into areas of elevated pollution concentrations, unless mitigation measures are adopted to reduce the impact to acceptable levels and protect public exposure (see paragraph 32.4 of policy DP32 of the Camden Development Policies).
- 2.10 Although all of Camden is covered by an AQMA we will only require an air quality assessments where development could potentially cause significant harm to air quality as set out in the table below.

An Air Quality Assessment is required in developments:

- with potential to significantly change road traffic on any road exceeding 10,000 vehicles per day. Significant changes include:
 - increase in traffic volumes > 5% (Annual Average Daily Traffic (AADT) – or peak);
 - lower average vehicle speed or significant increase in congestion;
 - significant increase in the percentage of HGVs;
- that introduce, or increase car parking facilities by, 100 spaces or more;
- with commercial floorspace of more than 1,000sq m;
- with more than 75 homes;
- where people will be exposed to poor air quality for significant periods of the day, in particular developments located on busy roads;
- involving the following - biomass boilers, biomass or gas combined heat and power (CHP);
- involving industrial or commercial floorspace regulation under the Environmental Permitting (England and Wales) Regulations (EPR) which will be subject to Environmental Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

What should an air quality assessment cover?

- 2.11 Air quality assessments for developments potentially contributing to poor air quality are to include the following:
- a) An inventory of the PM₁₀ and NO_x emissions associated with the proposed development, including the type and quantity of emission concentrations, during the construction and operational phase. This shall cover transport, stationary and mobile emission sources.
 - b) The application of atmospheric dispersion modelling to predicted existing and future NO₂ and PM₁₀ concentrations, both with and without the proposed development. Dispersion modelling shall be carried out in accordance with Air Quality and Planning Guidance, London Councils (2007) and Technical Guidance Note (TG09). (Specific guidance for modelling combustion plant emissions can be obtained from the Council's Sustainability Team – see Useful Contacts at the end of this section).
 - c) An assessment of the significance of air quality impacts during both the construction and operational phases. Reference shall be made to the Environmental Protection UK Guidance Note: Development Control: Planning for Air Quality (2010 Update).
 - d) Consideration of the potential cumulative impacts on air quality which may arise during the construction or operational phases as a result of emissions arising from other developments within a 100m radius of the development.
 - e) Where a biomass boiler or combined heat and power (CHP)/combined cooling, heating and power (CCHP) will be used for

on site energy generation, you are to complete the Council's Air Quality Information Request Form. This requires specific technical details related to the appliance, fuel type, emission concentrations, maintenance and exhaust stack. The forms can be obtained from Camden's Air Quality Officer or the Council's air quality webpage under Environment.

- f) Applications which include biomass boilers or biomass CHP, the air quality assessment shall compare the impact of emissions from the intended biomass boiler/CHP and a gas boiler/CHP of identical thermal rating.
- g) An indication of the number of new occupiers and users of the site who will be exposed to poor air quality as a result of the development (the occupiers/users should also be shown on a map). For further information please refer to the Environmental Protection UK Guidance Note: Development Control: Planning For Air Quality (2010 Update).
- h) An assessment of the impacts on air quality of the demolition and construction phase and details of mitigation methods for controlling dust and emissions from plant and machinery. Reference should be made to the Best Practice Guidance: The control of dust and emissions at construction and demolition, London Councils (2006).
- i) An outline of, and justification for, mitigation measures associated with the design, location and operation of the development in order to reduce air pollution and exposure to poor air quality.

Developments containing sensitive uses

- 2.12 Developments which will not result in additional NO_x and/or PM₁₀ emissions and present no risk in worsening air quality, but introduce new sensitive uses to an area which breaches the air quality standards for NO₂ or PM₁₀ need to submit an assessment of the local air quality but can omit requirements B, D and E above.

What measures can reduce air pollution emissions and protect public exposure?

- 2.13 Various actions can be taken to mitigate air pollution emissions arising from the construction and operational phases of a new development. Additional actions can be adopted to curtail public exposure in areas where air pollution levels are particularly high. These should be taken into account during the design stage of an application. The key measures are detailed below:

Demolition and construction

- 2.14 The impact of the construction and demolition phases of a development on air quality must be taken into account as part of your planning application. Exhaust



emissions from construction vehicles and machinery such as generators, piling and grinding equipment can result in:

- dust emissions;
- gases (NO_x); and
- fine particles.

2.15 Controlling dust emissions is important to:

- prevent disturbance to local residents due to soiling;
- minimise damage to vegetation; and
- reduce impacts on local PM₁₀ concentrations, thereby protecting public health.

2.16 We may require PM₁₀ monitoring, before and during the construction and demolition phase, dependant upon the scale of the proposed development.

2.17 We will encourage best practice measures to be adopted during construction and demolition work to reduce and mitigate air pollution emissions. You will be encouraged to adopt the procedures outlined in the London Council's best practice guidance *The control of dust and emissions from construction and demolition*. These focus around three principles to control emissions – prevention, suppression and containment. We will expect you to include the following items in construction management plans:

- Identification of whether demolition/construction represents a low, medium or high risk site in the context of air quality.
- Identification of the best practice measure required to control and mitigate plant and vehicles exhaust emissions.
(See section 8 of this Guidance on Construction management plans for further details).

Distance of impacts

Depending of the size, location and characteristics of your development, impacts from demolition and construction phases can occur at distance of 10 to 500m.

Building location and design

2.18 The location of a development has a direct influence on exposure to elevated air pollution levels. This is particular relevant where developments include sensitive uses such as hospitals, schools and children's playgrounds. Suitable building design, layout and orientation can avoid increasing exposure whilst minimising energy demand and energy loss. The Council requires the impact of outdoor air pollution on indoor air quality in new developments to be taken into account at the earliest stages of building design.

- 2.19 The location of outside space is also an important consideration and any exposure of gardens and roof terraces should be screened and, where practicable, minimised through appropriate positioning and orientation. You should take care not to locate flues and exhaust vents in close proximity to recreational areas such as roof terraces or gardens. An energy efficient building design can minimise air pollution resulting from the use of gas boilers. Adopting sustainable building design (e.g. the Code for Sustainable Homes and the Building Research Establishment Environmental Assessment Method (BREEAM)), will reduce thermal heat losses and result in less gas use leading to lower NO_x emissions. See Camden Planning Guidance 3 – Sustainability for further details on the Code and BREEAM.

Gas boilers

- 2.20 Gas boilers are a large source of NO_x emissions in Camden. In order to minimise NO_x emissions arising from heating and hot water systems the Council requires boilers fitted in new development to achieve a NO_x emissions of <40 mg/m³ and an energy efficiency rating >90%.

Renewable Energy and Combined Heat and Power

- 2.21 Core Strategy policy CS13 promotes the use of renewable energy technologies to reduce carbon emissions and tackle climate change. The adoption of renewable energy and energy efficiency technologies in major developments can minimise air pollution emissions through reductions in gas consumption required for heating and hot water. These include solar thermal collectors and ground source heat pumps in addition to gas and hydrogen fuel cell combined heat and power (CHP) or combined cooling heat and power (CCHP).

Hydrogen fuel cell

A fuel cell is an electrochemical cell that converts energy from a fuel (hydrogen) into electricity.

- 2.22 Biomass boilers however can give rise to higher emissions of NO_x and PM₁₀ emissions than conventional gas boilers. Permission to operate these appliances will only be granted if the air quality impacts are demonstrated to be equivalent or lower than those associated with a conventional gas boiler of similar thermal rating. Where an assessment demonstrates adverse effects on air quality, this type of biomass boiler should not be used in the development.
- 2.23 You are advised to refer to the national guidance note *Biomass and Air Quality Guidance Note for Local Authorities*, published by Environmental Protection UK. In cases where emissions released from a biomass boiler do not lead to negative impacts on air quality, the



appliance will be required to meet high standards of air pollution control with particular emphasis given to:

- boiler design and operation;
- pollution abatement equipment;
- servicing and maintenance;
- fuel quality, storage and delivery; and
- exhaust stack height.

2.24 We will require evidence that the exhaust stack height of gas CHP/CCHP has been appropriately calculated to guarantee that NO_x emissions are effectively dispersed, and do not risk increasing ground level NO₂ concentrations. An air quality assessment will be required for developments including CHP/CCHP. Where the assessment reveals a negative impact on air quality, mitigation measures will be required entailing the best available techniques to reduce emissions. This includes the installation of NO_x abatement technology such as:

- use of low NO_x burners; or
- increasing stack height.

2.25 A programme of on-going maintenance and servicing will be necessary to minimise gas emissions released from CHP/CCHP.

2.26 The Council will use Section 106 obligations to set requirements for controlling emissions from biomass boilers and CHP/CCHP.

Traffic Reduction

2.27 Reducing car usage caused by new developments is the principle way to minimise vehicle emissions and protect local air quality. Please refer to transport policy *CS11 - Promoting sustainable and efficient travel* in the Camden Core Strategy for more on our approach to improving air quality through transport measures. This requires:

- the adoption of car free and car capped developments;
- provision cycling facilities to encourage sustainable transport;
- green travel plans;
- provision of car club bays; and
- infrastructure for low emissions vehicles such as electric vehicle recharging points.

Further information

Planning Guidance	<ul style="list-style-type: none"> • Planning Policy Statement 23: Planning and Pollution Control (2004) • Planning Policy Statement 23 Annex 1: Pollution Control, Air and Water Quality These documents outline the government's advice on methods of planning for pollution control.
Air Quality Guidance	<ul style="list-style-type: none"> • Technical Guidance Note: Assessment of Air Quality Issues of Planning Applications, Association of London Government (ALG), 2006 This provides technical advice on how to deal with planning applications that could have an impact on air quality. • Development Control: Planning for Air Quality. Environmental Protection UK, 2010 This advises of the significance of air quality assessments within the planning process. • Best Practice Guidance - The control of dust and emissions from construction and demolition (London Councils) 2006 The aim of this guidance is to protect the health of on-site workers and the public and to provide London-wide consistency for developers. • Biomass and Air Quality Guidance for Local Authorities (Environmental Protection UK) 2009 This guidance details procedures for assessing and managing the effects of biomass on air quality and provides background material. • Low Emission Strategies (Beacon Low Emission Group) 2009 This provides advice on how to reduce emissions of air pollutants and greenhouse gases from transport.
Useful Contacts	<p>Camden Council Corporate Sustainability Team www.camden.gov.uk/smallsteps (020 7974 4444) provides guidance on air quality in Camden</p>

3 Contaminated land

KEY MESSAGES:

- Contaminated land can pose a serious risk to health.
- The Council will expect developers to identify and assess potentially contaminated land at an early stage.
- Developers will be expected to follow the Council's Contaminated Land Strategy.

3.1 This guidance provides advice on how to approach the development of potentially contaminated sites. This guidance should be read in conjunction with Core Strategy policy CS16 – *Improving Camden's health and well-being*.

3.2 To protect the local environment and the health and well-being of residents, workers and visitors, we will carefully assess any proposals for the redevelopment of sites that:

- are known to be contaminated;
- have the potential to be contaminated, through previous or current uses; or
- are located in close proximity to these sites.

What is contaminated land?

3.3 Contaminated land is land that has been polluted with harmful substances to the point where it now poses a serious risk to health and the environment.

Causes of land contamination

- improper chemical handling or disposal practices,
- accidental spillages, or leakages of chemicals during manufacturing or storage.
- polluted groundwater migrating under a site
- particles settling from factory emissions.

3.4 The most common pollutants of land are metals and organic compounds. Typical land uses that can cause land contamination include petrol stations and gas works.

3.5 Contamination can also come from historical activities dating back many hundreds of years, such as spoil heaps from some Roman lead mines, and even from naturally occurring substances.

3.6 Contaminants may still be present above acceptable levels even though the polluting use stopped many years ago. 'Contaminated land' has a specific legal definition which is used in relation to an 'unacceptable risk'

of harm to health. For more information please see Department for Environment, Food and Rural Affairs (DEFRA) web pages.

- 3.7 In principle we will support the redevelopment of contaminated sites where the contamination issue can be successfully addressed and where future uses can be carried out safely. Remediation is particularly important where people have access to ground for gardening, play or planting food for consumption within redeveloped sites.

What should you do if your site is contaminated or potentially contaminated?

- 3.8 In accordance with Planning Policy Statement (PPS) 23: Planning and Pollution Control, if you propose a development on contaminated or potentially contaminated land, it is your responsibility to ensure that contaminated land issues are considered at the planning application stage.
- 3.9 Where contamination is known or suspected on a site or the proposed use would be vulnerable to contamination, we will expect you to provide, as a part of your planning application, the necessary information as outlined in this chapter to determine whether the proposed development is acceptable.
- 3.10 The information required will need to be sufficient for us to determine:
- the existence or otherwise of contamination;
 - the nature of the contamination and the risks it may pose; and
 - whether these can be satisfactorily reduced to an acceptable level.
- Please refer to Annex 2 of PPS23 for further details.
- 3.11 The identification and assessment of land contamination issues is to be carried out by a qualified and experienced consultant, in consultation with the Council's Environmental Health Service. The contamination report is to be submitted with your planning application so that contamination issues can be assessed at the planning application stage and any necessary remediation measures secured through conditions or a Section 106 legal agreement.
- 3.12 The Council's Contaminated Land Strategy sets out how we will:
- deal with contaminated land;
 - make information available to the public; and
 - implement the requirements of the Part IIa of the Environmental Protection Act 1990 and Environment Act 1995. This and other documents are available on the Council's website (www.camden.gov.uk/contaminatedland) and should be referred to where contamination is a potential issue.
- 3.13 If there is any existing contamination (or potential risk of contamination) to ground or surface water or to land with statutory nature conservation designation, either from the existing state of land or from proposed

works, the Environment Agency must be informed and their consent obtained to any works. The English Heritage Archaeological Section should be contacted where contaminated land is included within an Archaeological Priority Area.

Archaeological Priority Area

As specified in the Camden Proposals Map, and Map 4 of the Camden Development Policies, to help protect archaeological remains that might be affected by development. See policy DP25 Conserving Camden's Heritage of the Camden Development Policies for further guidance on the borough's Archaeological Priority Areas.

- 3.14 Your report should comply with the policies and advice given in PPS23 and its annexes. There are also various best practice documents and British Standards that should be followed. The London Boroughs have produced a local guidance document titled *Contaminated Land: A Guide to Help Developers Meet Planning Requirements*. This document provides guidance on what information should be contained within a contamination report and is available on Camden's website.

Supporting documents

PPS23	<p>Planning Policy Statement 23: Planning and Pollution Control. Office of the Deputy Prime Minister, November 2004. www.odpm.gov.uk</p> <p>In particular Annex 2 should be referred to as this section deals specifically with contaminated land issues. The policies and advice contained in PPS23 is not repeated in this guidance and therefore should be consulted for detailed guidance.</p>
Camden Council Website	<p>Information on the Council approach to management of land contamination, information on historical land uses in the Borough and a copy of the London Borough's 'Guide for Developers on Contaminated Land'.</p> <p>http://www.camden.gov.uk/contaminatedland</p>
Department of Food, Environment and Rural Affairs	<p>has published a number of documents on land contamination. These can be found at:</p> <p>www.defra.gov.uk/environment/land/contaminated/index.htm</p>
Environment Act 1995	<p>Available from Stationary Office:</p> <p>www.opsi.gov.uk/acts/acts1995/Ukpga_19950025_en_1.htm</p>

Useful Contacts

Camden Environmental Health Service (Contaminated Land) web page www.camden.gov.uk/contaminatedland has more information on the Council's approach to contaminated land.

English Heritage www.english-heritage.org.uk can provide advice on the approach to contaminated land within Archaeological Priority Areas.

6 Daylight and sunlight

KEY MESSAGES:

- We expect all buildings to receive adequate daylight and sunlight.
- Daylight and sunlight reports will be required where there is potential to reduce existing levels of daylight and sunlight.
- We will base our considerations on the Average Daylight Factor and Vertical Sky Component.

6.1 Access to daylight and sunlight is important for general amenity, health and well-being, for bringing warmth into a property and to save energy from reducing the need for artificial lighting and heating. The Council will carefully assess proposals that have the potential to reduce daylight and sunlight levels for existing and future occupiers.

6.2 This guidance relates to:

- Camden Core Strategy policy CS5 - *Managing the Impact of Growth and Development*;
- Core Strategy policy CS14 - *Promoting high quality places and conserving our heritage*; and
- Policy DP26 – *Managing the impact of development on occupiers and neighbours* of the Camden Development Policies.

DP26 sets out how the Council will protect the quality of life of building occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

When will a daylight/sunlight report be required?

6.3 The Council expects that all developments receive adequate daylight and sunlight to support the activities taking place in that building.

6.4 A daylight and sunlight report should assess the impact of the development following the methodology set out in the most recent version of Building Research Establishment's (BRE) "Site layout planning for daylight and sunlight: A guide to good practice". Reports may be required for both minor and major applications depending on whether a proposal has the potential to reduce daylight and sunlight levels. The impact will be affected by the location of the proposed development and its proximity to, and position in relation to, nearby windows.

WHAT DOES THE COUNCIL REQUIRE?

The Council will require a daylight and sunlight report to accompany planning applications for development that has the potential to reduce levels of daylight and sunlight on existing and future occupiers, near to and within the proposal site.

Daylight and sunlight reports should also demonstrate how you have taken into consideration the guidance contained in the BRE document on passive solar design; and have optimised solar gain. Please refer to the BRE guidance on daylight and sunlight.

- 6.5 While we strongly support the aims of the BRE methodology for assessing sunlight and daylight we will view the results flexibly and where appropriate we may accept alternative targets to address any special circumstances of a site. For example, to enable new development to respect the existing layout and form in some historic areas. This flexible approach is at the Council's discretion and any exception from the targets will be assessed on a case by case basis.

Daylight

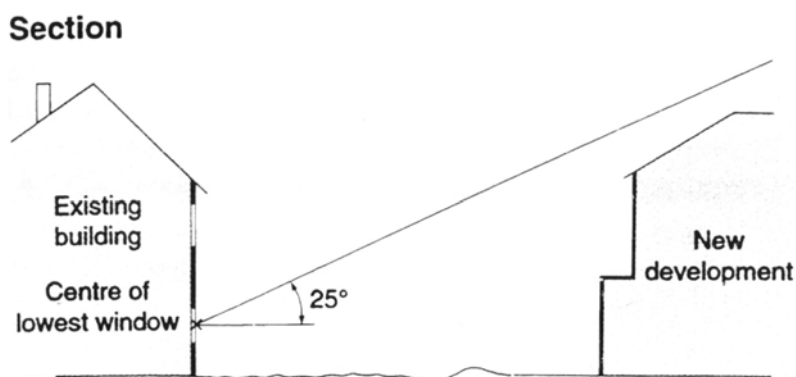
- 6.6 We will aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers and ensure sufficient daylight to occupiers of new dwellings taking in account overall planning and site considerations. If your proposal will have an unreasonable impact on amenity the planning application will be refused. When assessing daylight issues, we will use the guidelines and methods contained in the BRE's *Site layout planning for daylight and sunlight: A guide to good practice*.
- 6.7 There are two quick methods that can be used to assess access to daylight:

Daylight to new development

- project a 25 degree line, starting 2m above ground level from a wall of your proposed development;
- if none of the existing surrounding buildings extend above this line, then there is potential for good daylighting to be achieved in the interior of your new development.

Daylight to existing development

- project a 25 degree line from the centre of the lowest window on the existing building;
- if the whole of your new development is lower than this line then it is unlikely to have a substantial effect on the daylight enjoyed by occupants in the existing building.



Source: BRE, Site layout planning for daylight and sunlight: A guide to good practice.

- 6.8 For either test, if buildings extend above the 25 degree line a more detailed test needs to be carried out to fully assess either the loss of daylight in existing buildings or the level of daylight achievable in the new development. The two most common measurements of daylight of the more detailed test are the Vertical Sky Component (VSC) and the Average Daylight Factor (ADF).

Vertical Sky Component

The amount of light striking the face of a window

- 6.9 The Vertical Sky Component is expressed as a ratio of the maximum value of daylight achievable for a completely unobstructed vertical wall. The maximum value is almost 40%. This is because daylight hitting a window can only come from one direction immediately halving the available light. The value is limited further by the angle of the sun. This is why if the VSC is greater than 27% enough sunlight should be reaching the existing window. Any reduction below this level should be kept to minimum.
- 6.10 Windows to some existing rooms may already fail to achieve this target under existing conditions. In these circumstances it is possible to accept a reduction to the existing level of daylight to no less than 80% of its former value. Any greater reduction than this is likely to have a noticeable affect on amenity. If this occurs then applications may be refused.

Average Daylight Factor

Average Daylight Factor is a measure of the level daylight in a room. It can be used to establish whether a room will have a predominantly daylight appearance. It provides light levels below which a room should not fall even if electric lighting is provided.

- 6.11 The Average Daylight Factor can be used as a measure to determine whether a room will receive adequate daylight (expressed as a percentage). The ADV takes into account the:
- net glazed area of windows;

- the total area of the room surfaces (ceiling, floor, walls, and windows);
 - the average reflectance; and
 - the angle of visible sky.
- 6.12 If a predominately daylit appearance is required, then the daylight factor should be 5% or more if there is no supplementary electric lighting, or 2% or more if supplementary electric lighting is provided. This figure should be as high as possible to enable occupiers to rely on as much natural light and not use artificial lighting, but as a minimum for dwellings the figures should be 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 6.13 These minimum figures may not be applicable when measuring the impact of new buildings on existing dwellings as the simple preservation of minimum ADFs will not necessarily be seen as an indication of acceptability, especially if the VSC demonstrates a significant worsening in daylight levels. For existing dwellings the Council will consider the overall loss of daylight as opposed to the minimum acceptable levels of daylight. As the BRE guidance suggests, the readings will be interpreted flexibly as their aim is to support rather than constrain natural lighting. However, daylight is only one of the many factors in site layout design. Therefore, when applying these standards in Camden, we will take into consideration other site factors and constraints.
- 6.14 The calculation of the VSC and the ADF is complex. For full details on how these calculations are carried out you should refer to the most up to date version the BRE's "Site layout planning for daylight and sunlight: A guide to good practice". For more complex and larger developments we will expect a daylight study to be submitted with the planning application showing the windows that will be affected and provide before development and post development figures for VSC and ADF.
- 6.15 Other methods can be used to measure daylight and these can be incorporated in daylight and sunlight reports, where necessary, as a supplement to VSC and ADF measurements, such as the No Sky Line (NSL) test contained within BRE guidance.

Sunlight

- 6.16 The design of your development should aim to maximise the amount of sunlight into rooms without overheating the space and to minimise overshadowing.

WHAT DOES THE COUNCIL EXPECT?

New developments should be designed to provide at least one window to a habitable space facing within 90 degrees of south, where practical. This window should receive at least 25% of Annual Probable Sunlight Hours, including at least 5% of Annual Probable Sunlight Hours between 21 September and 21 March, where possible.

Annual Probable Sunlight Hours

The annual amount of sunlight a window receives in an average year.

- 6.17 The BRE's "Site layout planning for daylight and sunlight: A guide to good practice" provides guidance on access to sunlight in relation to:
- site layout, building orientation and overshadowing for new buildings;
 - protecting sunlight to existing buildings, and
 - new and existing gardens and open spaces.
- 6.18 Design for access to sunlight will be specific to the orientation of your site, and the specific design and uses within your proposed development. You should follow the detailed design requirements recommended in the "Sunlighting" section of the BRE document. The Council recognises that not all of the guidance contained within the BRE document, particularly orientation, can be adhered to in all developments due to the dense and constrained urban nature of Camden.

Other considerations**Right to Light**

- 6.19 The right to light is a legal right which one property may acquire over the land of another. If a structure is erected which reduces the light to an unobstructed property to below sufficient levels this right is infringed. A right to light can come into existence if it has been enjoyed uninterrupted for 20 years or more, granted by deed, or registered under the Rights of Light Act 1959. Planning permission does not override a legal right to light, however where a right to light is claimed, this is a matter of property law, rather than planning law. The Council will have no role or interest in any private dispute arising and it will be for the owner or occupier affected to seek a legal remedy.

Supporting documents

- 6.20 For further information on daylight and sunlight please refer to:
Building Research Establishment (BRE). Site layout planning for daylight and sunlight: A guide to good practice.
Copies of this are available directly from BRE.

BRE Bookshop, 151 Roseberry Avenue, London, EC1R 4GB
020 7505 6622
brebookshop@emap.com
www.constructionplus.co.uk

7 Overlooking, privacy and outlook

KEY MESSAGES:

- Development are to be designed to protect the privacy of existing dwellings;
- Mitigation measures are to be included when overlooking is unavoidable;
- Outlook from new developments should be designed to be pleasant;
- Public spaces benefit from overlooking as natural surveillance.

- 7.1 This section aims to ensure that when designing your development you successfully consider the potential impact on the privacy and outlook of neighbouring properties.
- 7.2 This guidance relates to Core Strategy policy CS5 Managing the Impact of Growth and Development and Core Strategy policy CS14 Promoting high quality places and conserving our heritage.
- 7.3 Policy *DP26 – Managing the impact of development on occupiers and neighbours* of the Camden Development Policies outlines how the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

Overlooking and privacy

- 7.4 Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. Spaces that are overlooked lack privacy. Therefore, new buildings, extensions, roof terraces, balconies and the location of new windows should be carefully designed to avoid overlooking. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The most sensitive areas to overlooking are:
- Living rooms;
 - Bedrooms;
 - Kitchens; and
 - The part of a garden nearest to the house.

WHAT IS GOOD PRACTICE?

To ensure privacy, there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other. This minimum requirement will be the distance between the two closest points on each building (including balconies).

- 7.5 Where this standard cannot be met we may require you to incorporate some of the following design measures into your scheme to ensure

overlooking is reduced to an acceptable level. Design measures to reduce the potential for overlooking and the loss of privacy include:

- Careful consideration of the location of your development, including the position of rooms;
- Careful consideration of the location, orientation and size of windows depending on the uses of the rooms;
- Use of obscure glazing;
- Screening by walls or fencing; and
- Screening by other structures or landscaping.

7.6 Where landscaping is used as a method of screening, arrangements for ongoing maintenance should be put in place and this may be secured by a planning condition.

7.7 Public spaces and communal areas will benefit from a degree of overlooking due to the increased level of surveillance it can provide.

Outlook

7.8 Outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden. How pleasant an outlook is depends on what is being viewed. For example, an outlook onto amenity space is more pleasant than an outlook across a servicing yard. You should design developments so that the occupiers have a pleasant outlook. You should screen any unpleasant features with permanent landscaping.

7.9 When designing your development you should also ensure the proximity, size or cumulative effect of any structures do not have an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers. You should carefully consider the location of bin or cycle stores if they are in close proximity to windows or spaces used by occupiers.

7.10 You should take particular care if your development adjoins properties with a single aspect over your development.

7.11 You should note that the specific view from a property is not protected as this is not a material planning consideration.

Further information

Better Places to Live: By Design - A companion guide to PPG3 (ODPM) makes number of design recommendations which recognise the importance of privacy in the home.

Perceptions of Privacy and Density in Housing report available from Design for Homes; 0870 416 3378 or www.designforhomes.org. This report highlights some of the issues facing households living at higher densities, and the implications for future design of buildings.

8 Construction management plans

KEY MESSAGES:

- Construction management plans are required for developments that are on constrained sites or are near vulnerable buildings or structures;
- They are essential to ensure developments do not damage nearby properties or the amenity of neighbours.

- 8.1 The purpose of this guidance is to give details on how construction management plans can be used to manage and mitigate the potential impacts of the construction phase of a development.
- 8.2 All construction and demolition work will cause at least some noise and disturbance. Where construction impact is particularly significant Camden will ensure it is managed through a legally binding construction management plan.
- 8.3 This guidance relates to Core Strategy Policy CS5 Managing the impact of growth and development and policies DP20 Movement of goods and materials, and DP26 Managing the impact of development on occupiers and neighbours of the Camden Development Policies.

When does this guidance apply?

- 8.4 This guidance applies to all development proposals which, having regard to the nature of the surrounding area, are likely to give rise to significant noise and other disturbance during construction. Details on the circumstances in which the Council will expect construction management plans are set out within this guidance.

How should construction management plans be prepared?

- 8.5 Camden's planning policies make it clear that the effect on local amenity and the highway network from construction and demolition is a material planning consideration. Construction management plans are used to set out the measures a developer should take (both on-site and off-site) in order to reasonably minimise and manage the detrimental effects of construction on local amenity and/or highway safety. Usually Camden will secure construction management plans through a Section 106 Agreement, although sometimes for less complicated schemes they may be secured by using a condition attached to planning permission.
- 8.6 Whilst construction management plans are a 'planning led' document they will incorporate mechanisms controlling planning considerations that overlap with other regulatory regimes (particularly highways and environmental protection). Hence, most construction management plans will be an umbrella document managing all impacts of the demolition, excavation and construction process.

- 8.7 Besides ensuring measures under these different regimes are coordinated in one document, construction management plans represent a proactive way of dealing with construction issues. They encourage developers to work with the Council and local people in managing the construction process with a view to ensuring that problems do not arise in the first place.

Circumstances Camden will expect a construction management plan

- 8.8 Whether a construction management plan is required for a particular scheme will be assessed on a case by case basis, although the Council will usually require a construction management plan for larger schemes (i.e. over 10 residential units or 1,000sq m of new commercial floorspace). However, occasionally a relatively large development will have comparatively little impact on its neighbourhood.
- 8.9 Conversely, small schemes on confined or inaccessible sites can have very significant impacts, particularly where the construction process will take place over a number of months (or even years) or outside normal working hours. When assessing smaller developments, special regard should be had to on-site factors that would seriously exacerbate the impact of the development works on the surrounding area. These could include development in residential areas, in close proximity to a school or a care home or very narrow or restricted site access (e.g. development in a mews with no footways). Regard will also be had to the nature and layout of a site. It will be much more difficult to fully absorb or contain the effects of demolition and construction in terms of noise, dust vibration etc within the boundaries of a small constrained site. Furthermore, lack of on-site space for plant, storage of materials and loading and unloading of construction may mean that construction effects will inevitably take place close to the boundary and spill out on to the highway network – a particular issue in much of Camden.
- 8.10 The types of schemes where a CMP will usually be appropriate include:
- Major developments (and some larger scale non major developments);
 - Development where the construction process has a significant impact on adjoining properties particularly on sensitive uses;
 - Developments which give rise to particular 'on-site' issues arising from the construction process (e.g. large scale demolition or complicated or intrusive remediation measures);
 - Basement developments;
 - Significant developments involving listed buildings or adjacent to listed buildings;
 - Developments that could seriously affect wildlife;
 - Developments that could cause significant disturbance due to their location or the anticipated length of the demolition, excavation or construction period;

- Development where site specific issues have arisen in the light of external consultation (where these are supported by objective evidence); and
- Development on sites where constraints arising from the layout or size of the site impact on the surrounding road network.

Contents of a construction management plan

- 8.11 Any construction management plan will manage on-site impact arising from demolition and construction. It will also seek to establish control over construction traffic and how this integrates with other construction traffic in the area having regard to the cumulative effect.
- 8.12 A Section 106 or planning permission securing a construction management plan will contain provisions setting out in detail the measures the final version of the construction management plan should contain. Most construction management plans will be umbrella documents managing all impacts of the demolition, excavation and construction processes. This would include (but is not limited to) issues such as:
- Dust, noise and vibration on site and off site;
 - Traffic management highways safety and highways congestion;
 - Protection of listed buildings (if relevant);
 - Stability of adjacent properties;
 - Protection of any off-site features that may be damaged due to works;
 - Protection of biodiversity and trees; and
 - Preserve the amenity of surrounding residential and other sensitive uses.
- 8.13 A construction management plan is often split into two elements. The first element will be focussed on controlling environmental impacts, pollution and other non-highway related impacts arising from the scheme, having regard to the requirements of the Council's Considerate Contractor Manual and best practice guides from the GLA. In particular this will seek to control hours of operation and monitor and manage air quality, noise, dust and other emissions of other pollutants and location of equipment. The second element will be focussed on traffic control with a view to minimising disruption, setting out how construction work will be carried out and how this work will be serviced (e.g. delivery of materials, set down and collection of skips), with the objective of minimising traffic disruption and avoiding dangerous situations for pedestrians and other road users.
- 8.14 Sometimes the Section 106 will link the construction management plan with a requirement to convene a working group to act as a forum for the developer to meet with local residents and businesses to deal with construction issues as they arise.

- 8.15 Construction management plans will also have to be consistent with any other plans required for the development. For example, a Site Waste Management Plan, which is a legal requirement for works over a certain size which may require the re-use or recycling of materials on-site and therefore the construction management plan will have to reflect that space will be required to sort, store and perhaps crush or recycle materials.
- 8.16 The construction management plan should include the following statement:
“The agreed contents of the construction management plan must be complied with unless otherwise agreed with the Council. The project manager shall work with the Council to review this construction management plan if problems arise in relation to the construction of the development. Any future revised plan must be approved by the Council and complied with thereafter.”

Transport considerations

- 8.17 The details contained within a construction management plan will relate to the nature and scale of the development, however, in terms of assessing the impact on transport the plan should demonstrate that the following has been considered and where necessary the impacts mitigated:
- a) Start and end dates for each phase of construction;
 - b) The proposed working hours;
 - c) The access arrangements for vehicles;
 - d) Proposed routes for vehicles between the site and the Transport for London Road Network (TLRN). Consideration should also be given to weight restrictions, low bridges and cumulative effects of construction on the highway;
 - e) Sizes of all vehicles and the frequency and times of day when they will need access to the site, for each phase of construction;
 - f) Swept path drawings for any tight manoeuvres on vehicle routes to the site;
 - g) Details (including accurate scaled drawings) of any highway works necessary to enable construction to take place;
 - h) Parking and loading arrangements of vehicles and delivery of materials and plant to the site;
 - i) Details of proposed parking bays suspensions and temporary traffic management orders;
 - j) Proposed overhang (if any) of the public highway (scaffolding, cranes etc);
 - k) Details of any temporary buildings outside the site boundary, or overhanging the highway;
 - l) Details of hoardings required or any other occupation of the public highway;

- m) Details of how pedestrian and cyclist safety will be maintained, including any proposed alternative routes (if necessary), and any banksman arrangements;
- n) Details of how traffic associated with the development will be managed in order to reduce congestion;
- o) Arrangements for controlling the movements of large/heavy goods vehicles on and in the immediate vicinity of the site, including arrangements for waiting, turning and reversing and the provision of banksmen, and measures to avoid obstruction of adjoining premises.
- p) Details of any other measures designed to reduce the impact of associated traffic (such as the use of construction material consolidation centres);
- q) Details of how any significant amounts of dirt or dust that may be spread onto the public highway will be cleaned or prevented;
- r) Details of any Construction Working Group that may be required, addressing the concerns of surrounding residents, as well as contact details for the person responsible for community liaison on behalf of the developer, and how these contact details will be advertised to the community;
- s) A statement confirming registration of the site with the Considerate Constructors Scheme;
- t) How the servicing approach takes into consideration the cumulative effects of other local developments with regard to traffic and transport;
- u) Provision for monitoring of the implementation of the CMP and review by the council during the course of construction works;
- v) Any other relevant information with regard to traffic and transport; and

Air quality and climate change considerations

8.18 A method statement should be prepared and adopted as part of the construction management plan to minimise gaseous and particulate matter emissions generated during the Construction Phase. The following best practice measures shall be included in the method statement:

- Techniques to control PM₁₀ and NO_x emissions from vehicles and plant;
- Techniques to control dust emissions from construction and demolition;
- Air quality monitoring; and
- Techniques to reduce CO₂ emissions from construction vehicles.

How will we secure construction management plans?

8.19 Generally a Section 106 agreement (rather than a condition) is the most appropriate mechanism for securing a construction management plan. For larger schemes or developments on constrained sites within heavily

built-up areas where building activities could materially affect the highway construction management plans will always be secured through Section 106s. While the use of conditions is normally preferred to Section 106 Agreements, conditions can only be used to control matters on land within the developer's control. The range of matters typically covered by a CMP, particularly in relation to highways, mean that a Section 106 Agreement will be necessary in most cases.

- 8.20 The level of detail contained in a typical Section 106 also lends itself to the tailored, site-specific approach Camden uses for construction management plans. However, the use of a condition to secure a construction management plan may be sufficient for sites where the building activities associated with the build out can be totally accommodated within the site itself, particularly where these are smaller schemes.