

<b>Delegated Report</b> (Members Briefing)		<b>Analysis sheet</b> N/A	<b>Expiry Date:</b> <b>Consultation</b> <b>Expiry Date:</b>	<b>03/03/2014</b>
<b>Officer</b> Michael Cassidy		<b>Application Number</b> 2014/6278/P		
<b>Application Address</b> 21 Ferdinand Street London NW1 8EU		<b>Drawing Numbers</b> Refer to 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 3 storey 4 x bedroom dwellinghouse				
<b>Recommendation(s):</b>	Grant Subject to a Section 106 Legal Agreement			
<b>Application Type:</b>	Full Planning Permission			

<b>Conditions or Reasons for Refusal:</b>	Refer to Decision Notice					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>28</b>	No. of responses	<b>03</b>	No. of objections	<b>03</b>
<b>Summary of consultation responses:</b>	<p>3 Objections have been received from the occupiers of Nos.19 and 23 Ferdinand Street and No.286A Chase Road, N14 6HF (London Borough of Barnet) raising the following concerns:</p> <ul style="list-style-type: none"> <li>• Overdevelopment of the site.</li> <li>• The design of the windows and elevations and the scale of the building are out of keeping with 10A Belmont Street.</li> <li>• Overly cramped and dark location unsuitable for a dwelling house.</li> <li>• The quality of the new accommodation will be very poor with overshadowing from the much larger No.10a Belmont Street, severely restricted outlook and no access to outside amenity space.</li> <li>• The proposed building is right up to the party wall of 21 Ferdinand Street and fails to take into account the existing drainage stack. In reality, any party wall award will result in separate boundary walls, narrowing the footprint of the proposed house.</li> <li>• The proposal will result in overlooking, overshadowing and loss of daylight to 21 Ferdinand Road.</li> <li>• Noise and disturbance during the course of construction from vibrations, odour fumes and dust.</li> <li>• Health and safety concerns with no access being provided for emergency vehicles.</li> </ul>					
<b>CAAC/Local groups comments:</b>	None.					

## Site Description

The application site is located within a former industrial yard set away from the main public realm and accessed via an access route from Ferdinand Street. To the south east of the application site is No.10a Belmont Street, a 7-storey (plus roof storey) residential/commercial building identified as a Non-Designated Heritage Asset (local List) and currently undergoing major redevelopment works under a number of extant planning permissions (see Relevant History section below) to form commercial and residential premises. To the north west of the application site are 3 terraced residential properties that face onto Belmont Street (Nos.10, 12 [owned by the applicant] and No.14). To the east is the 3-storey residential property of No.21 Ferdinand Street. Beyond are Nos.17, 25 and 27 which are also owned by the applicant. Immediately behind the application site to the north east is a semi-private open space with an electricity sub-station and playground area located between the large blocks of residential flats to the north east.

The surrounding area comprises a mixture of building heights and uses. It is primarily a residential part of Camden with a mixture of 3-storey Victorian houses, post-war 8 to 22-storey housing blocks, garages and warehouses. The general character changes to more commercial uses (often with residential above) to the south, including some business uses around the application site to the rear and along the access road leading to Ferdinand Street, with shops and town centre uses fronting Chalk Farm Road. The built form generally rises from lower and small scale development of two to three storeys on Chalk Farm Road towards taller and bulkier buildings to the North in the form of twentieth century housing blocks located in spacious grounds.

To the south of the site lies the Regent's Canal Conservation Area. Harmond Street Conservation Area lies to the east with West Kentish Town Conservation Area to the north. The closest listed buildings are the Roundhouse (Grade II\*) on the south side of Chalk Farm Road and Kent House (Grade II) to the east.

The site is not within any conservation area and the adjacent buildings are not listed. The adjacent building of No.10a Belmont Street is, however, a non-designated heritage asset.

## Relevant History

### **No.10a Belmont Street:**

- 2013/7971/P - Alteration to external staircases on north facing (flank) and east facing (rear) elevations to create balconies as amenity terraces for new flats at 1<sup>st</sup> to 6<sup>th</sup> floor levels - Granted on 28/04/2014.
- 2013/5406/P - Change of use from offices (Class B1) to residential (Class C3) to provide 10 units (1x3 bedroom, 9x4 bedroom) at ground, first, second, third and fourth floor levels - GPDO Prior Approval granted on 16/10/2013.
- 2013/3996/P - Change of use from offices (Class B1) to residential (Class C3) to provide 10 units at ground, first, second, third and fourth floor levels - GPDO Prior Approval Refused on 20/08/2013 for the following reasons:
  - 1) *In the absence of an agreed s106 planning obligation, suitable mitigation measures are not secured to mediate against the additional parking stress and congestion on the local highway network as a result of the development and therefore it fails to comply with Class J2(a) of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.*
  - 2) *The proposal fails to make adequate provision for accessible cycle parking for the proposed units and would therefore fail to encourage sustainable forms of transport as a result the development fails to comply with Class J2(a) of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.*

- 2013/1999/P - Excavation to create new basement floor level beneath footprint of existing B1 (office) building with associated front and rear lightwells and installation of railings at ground floor level - Granted on 14/08/2013.
- 2013/3333/P - Amendment to planning permission 2011/4415/P decided 30/11/2011 for the erection of additional 6th floor and extension to 5th floor to provide 8 residential units (Class C3) (3 x 1-bed, 4 x 2-bed, 1 x 3-bed), and erection of a five storey rear extension to provide additional office space (Class B1), namely to provide 3 units (3 x 4b units) instead of 8 units (3 x 1b, 4 x 2b, 1 x 3b) within the rooftop extension - Recommended for approval 12 July 2013, subject to S106 deed of variation – Subsequently withdrawn.
- 2012/6866/P - Erection of an additional 7th floor to provide 3 residential units (Class C3), including external terrace area with green roof and associated alterations. Refused 12 March 2013 - Allowed on appeal 04/11/2013.
- 2011/4415/P - Erection of additional 6th floor and extension to 5th floor to provide 8 residential units (Class C3) (3 x 1-bed, 4 x 2-bed, 1 x 3-bed), and erection of a five storey rear extension to provide additional office space (Class B1), including creation of roof terrace at rear 5th floor level and external terraced area at 6th floor level, creation of green roof, and associated alterations - Granted on 30/11/2011.
- 2009/4257/P - Erection of seven storey mixed use building comprising two basement levels for business use (Class B1) and 163 self-contained student units (Sui Generis) with associated facilities for student accommodation at ground-7th floor levels, following demolition of existing 5 storey building in Class B1 business use and demolition of a residential dwelling - Refused on 24/12/2009 and consequently dismissed at appeal on 3 February 2011.
- 2006/2058/P - Change of use at part ground floor level from business use (Class B1) to leisure use (Class D2) for use as a fitness studio - Refused on 11/07/2006.
- 2005/5574/P - Change of use at fourth floor level from offices (Class B1a) to gymnasium (Class D2) - Granted on 6 March 2006 (Note - this permission has expired and does not appear to have been implemented).

#### **Applications yet to be determined:**

- 2013/7829/P - Change of use of 1st floor of rear extension from B1 to C3 in association with Flat 3 (consented 2013/5406/P).
- 2013/7991/P - Change of use of 2nd floor of rear extension from B1 to C3 in association with Flat 5 (consented 2013/5406/P).
- 2013/7993/P - Change of use of 3rd floor of rear extension from B1 to C3 in association with Flat 7 (consented 2013/5406/P).
- 2014/0408/P - Change of use of 1st floor of rear extension from B1 to C3 in association with Flat 9 (consented 2013/5406/P).

#### **Enforcement**

- EN14/1069 - Erection of railings exceeding 1m in height which border the public highway, restrict access and impede emergency fire egress (Case Open).
- EN14/0911 - Industrial style balconies at the rear no planning permission (Case Closed).
- EN14/0895 - Construction Management Plan breach (Case Open).

- EN14/0712 – Not built in accordance with approved plans -2013/5406/P (Case Open).
- EN14/0362 - Erection of additional story to 10a Belmont Street (Case Closed).
- EN12/0542 - Construction Management Plan breach – case closed no breach found 8/02/2013.
- EN11/0284 - The use of the rear service yard for private contract parking (Case Closed).

**No.10 Belmont Street:**

- 2013/2070/P - Excavation to create new basement floor level beneath footprint of existing building with associated front lightwell and installation of railings at ground floor level (Class C3) - Granted on 14/08/2013.

**No.12 Belmont Street:**

- 2013/2105/P - Excavation to create new basement floor level beneath footprint of existing building with associated front lightwell and installation of railings at ground floor level (Class C3) - Granted on 14/08/2013.

**No.10, 12 & 14 Belmont Street:**

- 2014/3924/P - Erection of 3 replacement 4 storey (plus basement) dwelling houses following demolition of existing houses - This application is yet to be determined.

**Enforcement**

- EN13/0680 – Basement being dug without planning permission – awaiting outcome of current planning applications.

**No.21A Ferdinand Street**

- 2014/0082/P - Erection of 3 storey 4 x bedroom dwellinghouse – Granted subject to S106 on 15/12/2014.

**Enforcement**

- EN14/0855 - Basement floor level beneath new house (yet to receive permission - 2014/0082/P) (Case Open)

**No.17 Ferdinand Street:**

- 2012/2578/P - Redevelopment of site to provide 418sq.m of office space (Class B1) at ground floor level and 16 self-contained residential flats at first, second and third floor levels (11 x 2-bedroom + 2 x 1-bedroom market housing units and 1x 1-bedroom + 2 x 2b affordable housing units) (Class C3) with associated waste storage, cycle storage, plant room and landscaping, following demolition of existing two storey warehouse (Class B8) - Granted on 16/08/2012.

## Relevant policies

### **National and Regional Policies**

National Planning Policy Framework 2012

London Plan 2011

### **LDF Core Strategy and Development Policies**

CS5 Managing the impact of growth and development

CS6 Providing quality homes

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

CS19 Developing and monitoring the Core Strategy

DP2 Making full use of Camden's capacity for housing

DP5 Homes of different sizes

DP6 Lifetime homes and wheelchair homes

DP16 The transport implications of development

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

DP23 Water

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP27 Basements and lightwells

### **Camden Planning Guidance 2011/2013:**

CPG 1 Design

CPG 2 Housing

CPG3 Sustainability

CPG6 Amenity

CPG 7 Transport

CPG8 Planning Obligations

## **1. Proposal:**

- 1.1 The application is for the erection of a 3 storey, 4-bedroom dwellinghouse measuring 9.98m high to the top of the parapet (9.4m to the top of the flat roof), 8.9m at its widest point and 6.9m in depth. The house would be located within the part of the rear service yard that served the now redundant office fire escape and would have fenestration facing north and east, a first floor Juliet balcony and second floor balcony facing north and a green main roof.
- 1.2 The proposal seeks an amendment to the scheme approved under planning permission 2014/0082/P (Erection of 3 storey 4 x bedroom dwellinghouse) to incorporate a basement level of 50.2sq.m to provide a family cinema room. With the proposed basement, the house would now have a gross internal floor area (GIA) of 195.2sq.m. In all other respects, the scale, mass, height, alignment and appearance of the house would be identical to that previously approved.
- 1.3 The proposal would not result in the loss of any employment floorspace and is not located in a designated employment/industrial area.
- 1.4 The principal considerations material to the determination of this application are summarised as follows:
- Design/Townscape
  - Provision and quality of residential floorspace
  - Adjacent residential amenity
  - Transport, access and parking
  - Excavation
  - Sustainability - resources and energy
  - Other Matters

## **2. Design/Townscape**

- 2.1 The proposed dwelling would be located between Nos.10 & 10a Belmont Street and No.21 Ferdinand Street. The house would measure 9.4m in height to the top of the flat roof (9.98m to the top of the parapet) and would be set over 3 floors. It would be comparable in height (approximately 1m lower in terminating height) to the adjoining No.21 Ferdinand Street and would relate sympathetically to the surrounding buildings within the rear service yard.
- 2.2 Abutting Nos.10 & 10a Belmont Street and No.21 Ferdinand Street, the proposed house would have two visible elevations, a 2.3m wide eastern elevation facing Ferdinand Street and a 6.6m wide northern elevation facing a semi-private open space with an electricity sub-station and playground area.
- 2.3 The proposed dwelling would be built using reclaimed brick and aluminium framed windows to match the adjacent 5 storey extension of No.10a Belmont Street. Of the two visible elevations, the northern facing elevation would comprise an anodised aluminium screen mesh to the brick facade from ground to second floor level, with the ground floor eastern elevation also faced with this screen, to introduce a more industrial appearance. The dwelling would incorporate fenestration to each visible elevation in keeping with the appearance of the rear extension at No.10a Belmont Street, albeit reflecting a more domestic scale. At main roof level, a parapet of 0.3m would provide space for a single level green roof.
- 2.4 The overall height of the new dwelling, its recess from the rear extension of No.10a Belmont Street and detailed design would be identical to that previously approved. Although the dwelling would be built across the rear and flank elevation of this non-designated heritage asset, thereby obscuring the east facing views of the ground to second floor levels, such views are already obscured by the building line of No.21 Ferdinand Street.

- 2.5 In terms of the northern facing elevation, the materials proposed are particularly sympathetic given that they match the facade of No.10a Belmont Street and would not cause harm or discernible detraction from the design concept or significance of No.10a Belmont Street. The proposed dwelling would relate sympathetically, without harm to the setting or views of this neighbouring non-designated heritage asset.
- 2.6 The overall form, appearance and choice of materials are considered to be of a good quality and would reference the former industrial context of the area, as well as the now domestic use of the service yard. The colour and texture of the brick as well as the remainder of the facing materials are to be secured by way of a condition, to ensure the highest standards are delivered.
- 2.7 The proposal would provide an additional basement level of 50.2sq.m to provide a family cinema room beneath the footprint of the approved dwelling. The proposal would not involve the construction of any lightwells or window openings. The basement element would be located entirely beneath the approved dwelling and would not be visible in views from Belmont Street, the rear service yard or neighbouring properties. Given no external changes are proposed, the external appearance of the dwelling would remain unchanged to that already approved under planning permission 2014/0082/P.
- 2.8 The proposed basement floor level, by virtue of its location, size and design, would have no adverse impact on the character and appearance of the area. As such, the proposed development is considered to be consistent with policies CS14 and DP24 of the London Borough of Camden's Local Development Framework as well as Camden Planning Guidance on Design.

### **3. Provision and quality of residential floorspace**

- 3.1 The application would provide a 4 bedroom dwelling of approximately 195.2sq.m (GIA) with all bedroom sizes of at least 11sq.m (double bedrooms), in compliance with the residential development standards set out in Camden Planning Guidance and the London Plan standards (First and double bedrooms - 11.0sq.m, Single bedrooms - 6.5sq.m).
- 3.2 The dwelling would be capable of accommodating 6 persons, meeting the minimum floorspace requirements set out in Camden Planning Guidance (6 persons - 93sq.m) and 82.2sq.m in excess of the London Plan standards (6 persons - 113sq.m).
- 3.3 The applicant previously submitted a Lifetime Homes statement with planning application 2014/0082/P identifying design features which would maximise accessibility and the site/building's constraints. The proposal largely complies with the Lifetime Homes criteria, however the constraints of the site, in particular the inability to provide a parking space in close proximity and lift within, restrict compliance with criteria Nos.1 and 2. In the context of those constraints, it is considered that the proposal adequately meets all applicable standards and is therefore in accordance with Policy DP6, subject to a securing condition.
- 3.4 In accordance with CPG2 Housing, at 2.6m high all habitable rooms would exceed the minimum headroom of 2.3m.
- 3.5 The Council expects that all developments will receive adequate daylight and sunlight to support the activities taking place in that building. Residential developments should maximise sunlight and daylight, both within the new development and to neighbouring properties whilst minimising overshadowing or blocking of light to adjoining properties.



- 3.6 As part of planning application 2014/0082/P, the applicant submitted a sunlight/daylight report setting out the internal BRE levels of the proposed dwelling. The ADF method quantifies the level of daylight in a room (kitchen, living room and bedroom), to establish whether each habitable room will have a predominantly day lit appearance. The minimum levels for different room types are Kitchens: 2%; Living rooms: 1.5% and Bedrooms: 1%.
- 3.7 At ground floor level, the building comprises 2 bedrooms, each serviced by a single window facing north. At first floor level, the building comprises 2 bedrooms, each serviced by a single window facing north or east. At second floor level, the building comprises the living room, serviced by 2 windows facing north and east.
- 3.8 All habitable rooms comply with the minimum BRE levels required for ADF and those of CPG6 and are identical to those previously considered to be acceptable. The BRE guide recommends for dwellings ADF to reach 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. The ground floor bedrooms would reach 1.0% and 1.7%, the first floor bedrooms would reach 1.6% and 3.5% and the living room/kitchen at second floor level would reach 3.9%. The proposed basement level would introduce a non-habitable family cinema room with no access to natural light. Given the nature of its intended use, this is considered to be acceptable and would be in accordance with BRE guidance.
- 3.9 In terms of outlook, the dwelling would enjoy dual aspect accommodation of the service yard and semi-private open space to the rear. A balcony at second floor level of 5sq.m will provide external amenity space. The area to the rear (north elevation) is not well overlooked. The metal screen will provide a good level of security and privacy for the house.
- 3.10 It is considered that the development strikes an acceptable balance between responding to the urban constraints of the site with the need to make full use of the underused and vacant site to deliver much needed housing. The house would benefit from good natural daylight and sunlight which would contribute a new family sized dwelling to Camden's housing stock, in accordance with Policies CS6, DP2 and DP5.

#### **4. Adjacent residential amenity**

- 4.1 The new dwelling would fill in an area between Nos.10, 10a Belmont Street and No.21 Ferdinand Street. The dwelling would directly abut the elevations of No.10a Belmont Street and No.21 Ferdinand Street, whilst sitting on the boundary with No.10 Belmont Street.
- 4.2 With regard to No.10a Belmont Street, the dwelling would cover the lightwell and associated windows serving the commercial unit (Class B1) to the recently built basement extension (2013/1999/P), 2 rear windows to the main building (serving dressing rooms) and 2 flank windows to the rear extension (serving living rooms) at first floor level and 2 rear windows to the main building (serving dressing) and 2 flank windows to the rear extension (serving living rooms) at second floor level.
- 4.3 With regard to No.10 Belmont Street, the flank wall of the new dwelling would not block any of the windows of this neighbouring house. The resulting distance between the flank wall (windowless) of the proposed dwelling and No.10 Belmont Street would, however, be reduced from 10m to 4m. Whilst this would see a reduction in outlook to the occupiers of No.10 Belmont Street, an existing staircase (associated with No.10a Belmont Street) is already in this location and the proposal would not therefore cause any greater detriment than the existing situation.
- 4.4 With regard to No.21 Ferdinand Street, its flank elevation is windowless and no windows would therefore be affected.

- 4.5 Within this context, windows to No.10 Belmont Street and No. 21 Ferdinand Street would not be obscured to any greater detriment. A number of windows serving the residential units of No.10a Belmont Street would, however, be blocked. However, it is noted that these flats (implemented but as yet unoccupied - 2013/5406/P) would still enjoy dual aspect accommodation, with 6 windows per flat remaining (within the rear extension), looking outward upon the rear yard and this relationship was previously considered acceptable under planning permission 2014/0082/P.
- 4.6 With regard to privacy, the 5-storey rear extension of No.10a Belmont is located within 3m of the façade of No.21 Ferdinand Street, where mutual overlooking is an existing arrangement. Whilst the lower floor levels of No.21 Ferdinand Street are windowless, the roof extension at second floor level (2011/1026/P) features a fully glazed elevation, albeit set behind a terrace. As a result, the windows serving the flank (north facing) and rear elevation of the No.10a Belmont Street rear extension (particularly at second and third floor levels) already allow overlooking to the living accommodation, windows and terrace of No.21 Ferdinand Street.
- 4.7 The new dwelling would block the No.10a Belmont Street windows described above therefore omitting the overlooking towards No. 21 Ferdinand Street. Although the new dwelling would introduce a window at second floor level on the eastern facing elevation, which would be closer than those at No. 10a Belmont Street, it would, however, be recessed from the front façade and at a particularly oblique right angle to No. 21 Ferdinand Street. In this respect, the proposal obscuring some direct views from No. 10a Belmont Street would be an improvement for the occupiers of No.21 Ferdinand Street on the existing situation. This new arrangement was previously considered to be acceptable and would not result in any greater loss of privacy to these neighbouring occupiers.
- 4.8 The intended location of the dwelling would not result in any significant loss of sunlight, daylight or increase in overshadowing to No. 21 Ferdinand Street. With regards to No. 10 Belmont Street, the impact upon the sunlight of the rear facing windows did not form part of the originally submitted sunlight/daylight report. Based on an onsite assessment, the proposed house would not result in any greater detriment than the existing staircase in situ at No.10a Belmont Street.
- 4.9 Given no external changes are proposed to those previously approved and the scope and nature of the development at basement floor level, the proposal would have no adverse impact on the amenities of adjoining occupiers, in terms of access to sunlight, daylight, visual bulk, sense of enclosure or privacy. As such, the proposal is considered to be in accordance with Policy DP26 of the LDF.

## **5. Transport, access and parking**

- 5.1 The application site has a PTAL rating of 6 which indicates that it has an excellent level of accessibility by public transport. A number of vehicles are currently able to park within the central courtyard.

### *Car-free development*

- 5.2 The London Plan 2011 and Policy DP18 of the LDF identify that car-free and car-capped should not only be sought for housing but also for developments in general and should be ensured by Boroughs in areas of high public transport accessibility. In accordance with Policies DP18 and DP19, all new residential units should therefore be made car-capped, secured by a Section 106 planning obligation. The applicant has accepted the principle of the car-capped housing and payment of the Council's legal fees.

### *Cycle parking*

- 5.3 The applicant has provided a Josta 2 tier cycle rack within the development as per CPG 7 (transport). The layout and number of cycle spaces would be secured by way of a condition.

## *Construction Management Plan*

5.4 Due to the scale and likely method of construction, a Construction Management Plan will be required in order to mitigate any adverse impacts, secured by a Section 106 planning obligation.

### **6.0 Excavation**

- 6.1 Policy DP27 of the LDF and planning guidance CPG4 state that developers will be required to demonstrate, with methodologies appropriate to the site, that schemes do not interfere unreasonably with underground water flows; maintain the structural stability of the land, existing building and neighbouring properties; and do not unacceptably impact localised surface water flow or contribute to the likelihood of flooding.
- 6.2 The only change to the previously approved scheme (2014/0082/P) is the basement. There have been no changes in policy since that scheme was approved in December 2014. As set out in Paragraph 2.7 of the report, the basement element would be located entirely beneath the approved dwelling with no external changes to the approved dwelling proposed. It would provide ancillary accommodation (a family cinema room) to the 4-bedroom house already approved and would measure 9.1m wide and 6.2m deep (as measured to the external walls). It would involve excavating approximately 3.9m downwards providing an internal basement head height of 3.3m.
- 6.3 The application site is surrounded by properties, currently being developed by the Hallmark Property Group, that Pinger James Consulting Engineers have prepared BIA's for which were submitted to the Council during 2013 and 2014. These include basements at No.10 Belmont Street (2013/2070/P – implemented), No.12 Belmont Street (2013/2105/P - approved and 2014/3924/P – decision pending) and No.10A Belmont Street (2013/1999/P - approved and implemented and 2014/5502/P – decision pending). The BIA's submitted for these properties included full Basement Impact Assessments covering the various stages required by the Council. The proposed basement development is not located within an area of concern regarding slope stability, surface water or groundwater flow and is surrounded by the basement structures listed above. The basement structure proposed for No.21A Ferdinand Street would not alter the subterranean conditions local to the property. As such, a BIA is not considered necessary.

### **7.0 Sustainability - resources and energy**

7.1 Policies CS13 and DP22 of the LDF promote higher environmental standards in design and construction and provide details of the sustainability standards the Council expects development to meet. In line with Policy DP22, new build housing is currently expected to meet Code for Sustainable Homes Level 4, achieving a minimum 50% credits in the energy, water and materials category. The applicants have submitted a sustainability report that indicates the new house will meet Code Level 4 of the Code for Sustainable Homes meeting all minimum credits in the energy, water and materials category. A Section 106 Agreement shall secure a commitment to meet Level 4 of the Code for Sustainable Homes as indicated in the pre-assessment and post-construction review.

### **8.0 Other Material Considerations**

- 8.1 An informative shall be attached notifying the applicant that:
- Noise from demolition and construction works and sound insulation between dwellings is subject to control under the Building Regulations and/or the London Buildings Acts.
  - The proposal may be subject to control under the Party Wall etc. Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings and to consult a suitably qualified and experienced Building Engineer.

8.2 A new security gate to the access Ferdinand Street would not be requested in this instance.

## **9.0 Community Infrastructure Levy (CIL)**

9.1 The proposal will be liable for the Mayor of London's CIL as the development includes the creation of an additional unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £9,760 (195.2sqm x £50). 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.

**Recommendation:** Grant planning permission subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Construction and Demolition Management Plan
- Commitment to meet Level 4 of the Code for Sustainable Homes as indicated in the pre - assessment and post-construction review
- S106 for car-capped development

### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 23<sup>rd</sup> February 2015. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'.**