



MAY 2015

# Planning Statement

11 Blackburn Road, London, NW6 1RZ

Iceni Projects Limited on behalf of  
Narrowpack Ltd

May 2015

Our Reference: 13/716

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ON BEHALF OF  
NARROWPACK LTD

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**Planning Statement**  
11 BLACKBURN ROAD, LONDON, NW6 1RZ

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# 1. INTRODUCTION

1.1 This Planning Statement is submitted on behalf of Narrowpack Ltd ('the applicant'), in support of an application for the:

*“Demolition of and replacement with seven 2-bed houses (Class C3), and refurbishment of Victorian warehouse (Class B1) to provide employment floorspace (Class B1) on ground floor and two x 2bed residential apartments (Class C3) with landscaping and associated works.”*

1.2 The overall objective of the scheme is to renew and regenerate this underused brownfield site in the Hampstead Interchange Area, which is identified for growth and regeneration. The site is no longer fit for purpose containing poor quality, dilapidated buildings, which are of poor practical utility and inefficient in their use of energy.

1.3 The proposed scheme would provide a revitalised mix of employment and residential use which would be compatible with the long term use for the site and the area's planned longer term renewal.

1.4 The application is submitted following a pre-application consultation meeting with the London Borough of Camden ('LBC' or 'the Council') officers and follow up written advice, reference: (2014/3740/PRE), dated 29 July 2014.

1.5 The purpose of this statement is to identify and address the main planning issues associated with the proposed development, demonstrating how the proposal would be acceptable in the context of the Development Plan (DP) and other material planning considerations.

1.6 The statement is structured as follows:

- Section 2 describes the application site and its surroundings;
- Section 3 outlines the planning history and lawful use of the site;
- Section 4 describes the pre-application consultation undertaken with the London Borough Camden;
- Section 5 describes the proposed development;
- Section 6 identifies the relevant planning policies relevant to the determination of the application;
- Section 7 sets out the key reasons for demolition;
- Section 8 outlines the employment issues and solutions surrounding the scheme;

- Section 9 describes the housing issues and solutions surrounding the site;
- Section 10 outlines the design case for the scheme;
- Section 11 other planning considerations;
- Section 12 outlines the CIL and section 106 contributions of the proposed scheme; and
- Section 13 concludes that planning permission should be granted.

1.7 Appendices to this statement comprise:

- Appendix 1 – Full List of Supporting Documentation
- Appendix 2 – Letter from LDG
- Appendix 3 – Letters From Occupiers
- Appendix 4 - Calculation for Affordable Housing Contribution

1.8 The extent of the supporting information required for this planning application was discussed and agreed with the Council, in its role as Local Planning Authority (LPA), prior to the submission of the planning application. For a full list of the supporting documentation, see **Appendix 1**.

## 2. SITE AND SURROUNDING AREA

2.1 This section describes the application site, its policy designations and the surrounding area.

### **The Application Site**

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2.2 The application site is 11 Blackburn Road, London, NW6 1RZ. The site comprises two dilapidated warehouses, one of which is Victorian. Both warehouses are of two storeys in height with the Victorian warehouse having a pitched roof.

2.3 The site is located on the north side of Blackburn Road in West Hampstead, within the London Borough of Camden. The site area is 1,137 sq m. The site is accessed from Blackburn Road, located at the end of three terraced houses and on higher ground. The rear gardens of the properties back onto the site.

2.4 The site has an east-west linear shape, with the footpath Billy Fury Way and railway to the north, and Blackburn Road to the south.

2.5 The site is located a short distance from West Hampstead Interchange on West End Lane, which has excellent public transport connections. As such, the PTAL rating for the site is 6a, which indicates a high level of accessibility to public transport.

### **The Surrounding Area**

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2.6 Blackburn Road is set on a gradient from east to west. As such, Blackburn Road is not on the same level as the high street. The residential units to the south of the site therefore, are sited on a slightly higher level to the site.

2.7 Blackburn Road has a mixed character with a range of building types including; residential, student housing and commercial. The character of the area is changing rapidly from industrial to a more residential area. For example, an office building, Asher House, situated to the south-east, is understood to be converted to residential use under permitted development legislation (certificate reference: 2014/4587/P) and the recently completed ISL student accommodation building is located further east at 2-4 Blackburn Road and was previously the site of a former Mercedes-Benz garage (application reference: 2009/5823/P).

2.8 West Hampstead Interchange is located nearby on West End Lane, providing access to local facilities, amenities and public transport connections.

## Policy Designations/Allocations

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- 2.9 According to the adopted Proposals Map (November 2010) the site is in the West Hampstead Growth Area.
- 2.10 The LBC originally envisaged a large scale regeneration scheme to regenerate the area. However, the LBC Core Strategy now recognises that this is unlikely to happen and that more incremental development and interchange works are more realistic. The Core Strategy also identifies the area as having opportunities for redevelopment of under-utilised sites that border the railway lines.
- 2.11 The area is therefore considered a focal point for development within the borough. The LBC Core Strategy outlines how the Council expects to achieve this regeneration including:
- A mix of uses, including substantial new housing, town centre, employment and community uses, and open spaces;
  - Improved transport interchange accessibility and capacity and improved pedestrian and bicycle movement and routes;
  - A substantially improved street environment around transport facilities, including improved crossing and wider pavements; and
  - Sustainable and safe design of the highest quality that respects the character and heritage value of West Hampstead.
- 2.12 These application proposals, which seek the comprehensive redevelopment of the site, comply fully with the policy objectives set out for the West Hampstead Interchange and Growth Area in the LBC Core Strategy.

### **3. PLANNING HISTORY**

3.1 This section summarises the site's planning history.

3.2 The established use of the two warehouse buildings is employment (Class B1) use.

3.3 On 20 March 1998 planning permission for the continued use of the site as an art centre (Class B1) was granted (ref: PW970285R1).

3.4 There are no other planning decisions of relevance.

## 4. PRE-APPLICATION CONSULTATION

4.1 The application proposals have evolved as a result of pre-application discussions with Council officers held during a site meeting on 08 June 2014. The site visit was followed by a written pre-application on 29 July 2014, prepared by David Fowler.

4.2 A summary of the written response received from David Fowler at the LBC on 29 July 2014 is outlined below.

### Principle of Development

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4.3 Officers highlighted that:

- The nature of the proposed use should be clarified, as to whether it would be an artist's studio workshop and/or gallery space as this would bear relation to the issue of loss of employment space;
- It should be demonstrated that the existing buildings were no longer suitable for employment use;
- The proposed two bedroom market flats were of very high priority and therefore welcomed;
- The size of the site triggered an affordable housing contribution;
- The proposed residential units should be car free, given the high PTAL of the site; and
- Given the site coverage, height of the proposed townhouses and lack of external amenity space, the proposals constituted overdevelopment.

### Design & Amenity

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4.4 Officers considered that:

- All of the proposed flats and bedrooms comfortably exceeded the above minimum flat sizes;
- It should be demonstrated that an acceptable outlook and aspect would be provided for the dwellings under the existing situation;
- The proposed townhouses were very deep in plan, to the detriment of external amenity space;
- All housing should meet lifetime homes standards and that 10% of homes developed should either meet wheelchair housing standards, or be easily adaptable to meet them;
- The proposals constituted overdevelopment in terms of footprint/site coverage, bulk and scale given the proposed residential units and the cramped nature of the backland site;
- The submitted elevation drawings showed that the residential block lacked articulation between each townhouse;



- There was an absence of residential character form scale, detailed design and use of materials; and
- The proposed car park undercroft would detract from the front elevation of the proposed townhouses and should be removed.

### **Landscaping and Public Realm**

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- 4.5 Officers considered that the proposed undercroft areas would be dark, hostile areas and were not considered appropriate;

### **Amenity of Neighbours**

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- 4.6 Officers considered that overlooking issues already exist in relation to the Victorian warehouse and the change of use to residential would not significantly impact in terms of loss of privacy over the existing situation.

### **This Application's Response**

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- 4.7 The scheme now proposed seeks to address the issues raised by officers at pre-application stage including:
- The proposal has removed the car park undercroft and car parking space from each of the new build terraced houses;
  - The proposal is now car free and as such, no parking spaces are now proposed;
  - In designing the new proposal, the removal of the parking spaces has allowed more space to be utilised for high quality landscaping and greening of the site and public realm;
  - The design of the new build terraced houses has been reviewed. Together with the removal of the car parking spaces, the terrace has been reduced in scale and mass, the architectural treatment has improved with highlighting the individual houses. As a result the terrace has a clearer residential character;
  - The design of the new proposals has also resulted in an increase in the amount of rear garden area to each of the townhouses;
  - Details of elevational treatment and materials to be used are of a high quality;
  - Details of cycle parking to be provided for both developments;
  - Retaining the existing windows on the Victorian warehouse; and
  - Concerns with regards to overlooking of Asher House and how these have been addressed through the stepped design plan of the terraced houses,

## 5. THE PROPOSED DEVELOPMENT

5.1 Planning permission is sought for a comprehensive residential-led redevelopment, with supporting commercial uses, amenity space and access. To facilitate this development the current building would be demolished.

5.2 The principal elements of the scheme are:

- nine new homes including a priority mix of two and three bed properties;
- flexible replacement employment floorspace (Class B1) which is fit for purpose, is suitable for small and medium sized enterprises (SMEs), and is better able to meet local employment market needs;
- sympathetic restoration of an Victorian warehouse;
- creation of a courtyard landscape;
- introduction of planting and trees;
- landscaping and improvements to the public realm;
- cycle parking for all residents and non-residential occupiers;
- provide energy efficient and sustainable homes for the borough; and
- regenerating an under used site, in an area of under regeneration and change.

5.3 Table 5.1 below shows the land use changes between employment and residential land uses that result from the proposed scheme.

**Table 5.1 Land Use Summary**

<b>Land Use</b>	<b>As Existing (GIA Sq.m)</b>	<b>As Now Proposed (GIA Sq.m)</b>	<b>Net Change (GIA Sq.m)</b>
Employment (Class B1)	1427	208.8	- 1,278.2
Residential (Class C3)	0	1,404.9	+ 1,404.9

5.4 Table 5.2 below shows the potential employment provision of the proposed scheme vs the current employment situation on the site.

**Table 5.2 Employment Details**

	<b>Amount of Flexible Employment Floor Space (NIA)</b>	<b>No. of jobs on site</b>
As Existing	1388	4
As Now Proposed	178.2	14.9

### **Residential**

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- 5.5 There are nine new homes proposed which would all be 2-bed units. There would be 7 x 2-bed terraced houses and 2 x 2-bed flats located within the Victorian warehouse.

**Table 5.3 Housing Mix**

<b>Flats</b>	<b>Town Houses</b>
2 x 2-bed	7 x 2-bed

### **Commercial Uses**

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- 5.6 There would be 210 sq m GIA of flexible employment floorspace (Class B1). The flexible space at ground floor level would share an entrance with residential units and would be separated into two distinct areas.
- 5.7 Both commercial areas would have their own amenities including water, electricity, bin, kitchen area, bins and cycle parking, making them self-sufficient from each other.

### **Landscaping**

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- 5.8 Public and private space would be delineated by the use of hard and soft landscaping and where necessary boundary walls. The space would be animated by the use of high quality materials and lighting.
- 5.9 Private amenity space would be provided for both the town houses and apartments.
- 5.10 Each 2-bed residential (Class C3) unit must provide 0.6 sq.m of outside playspace for children as outlined in Figure 5 of CPG 6 (Amenity) published by the Council.
- 5.11 The scheme provides 9 2-bed residential (Class C3) units. Therefore 0.6 sq.m x 9 = 5.45 sq.m.

- 5.12 This means that the development as a whole must provide 5.45 sq.m of children's playspace.
- 5.13 The proposed development would provide 11.6 sq.m of children's playspace located to the left of the bin stores. The proposal would comply with the guidance set out in CP6 (Amenity) in relation to children's playspace.

### **Access**

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- 5.14 Access to the site would be provided from Blackburn Road. This would be for pedestrians and cyclists, as the development would be car free.
- 5.15 There would be 20 cycle spaces provided on-site for both residents and the occupiers of the flexible employment floorspace (Class B1). The cycle stands would be provided to the left of the access road on the approach to the development with delineated spaces for both the residential units and commercial space.

## 6. RELEVANT PLANNING POLICES

- 6.1 This section sets out the key national, regional and local planning policy considerations for this application.
- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be made in accordance with the Development Plan (DP), unless material considerations indicate otherwise.

### National Policy

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- 6.3 The National Planning Policy Framework (NPPF), published in March 2012, sets out the Government's planning policies for England and how these are expected to be applied.
- 6.4 The key theme throughout the NPPF is the presumption in favour of sustainable development. Paragraph 14 of the NPPF states the presumption in favour of sustainable development should be seen as a golden thread running through both plan-making and decision-taking. In terms of decision taking, this means approving development proposals that accord with the DP without delay and granting planning permission where the DP is absent, silent or relevant policies are out of date, unless adverse impacts would significantly and demonstrably outweigh the benefits of the proposals.
- 6.5 This presumption in favour of sustainable development is supported by 12 core planning principles which guide both plan-making and decision-taking, including that the overarching role of planning which should be to:
- proactively drive and support sustainable economic development to deliver new homes;
  - secure high quality design and a good standard of amenity;
  - contribute to conserving and enhancing the natural environment and reducing pollution;
  - not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
  - encourage the effective use of land by reusing land that has been previously development (brownfield land), provided that it is not of high environmental value; and
  - promote mixed use developments, and encourage multiple benefits from the use of land in urban areas.

- 6.6 Guidance to LPAs is to approach decision-taking in a positive way (Paragraph 186) and, in doing so, decision-takers at every level should look for solutions rather than problems (Paragraph 187).

6.7 The NPPF includes further, specific policy and guidance, on a range of topics; as outlined in the topic related sections of this statement which follow.

6.8 The NPPF is supported by the National Planning Policy Guidance (NPPG).

### **The Development Plan (DP)**

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6.9 The statutory DP for the purposes of Section 38 (6) is:

- London Plan (2011)
- Further Alterations to the London Plan (March 2015);
- Camden Core Strategy (November 2010); and
- Camden Development Policies (November 2010).

#### **London Plan**

6.10 The London Plan (2011) together the Further Alterations to the London Plan (FALP) (2015) form the Mayor's Statutory Development Plan.

#### **Camden Policy**

6.11 The Camden Core Strategy and Development Policies (adopted November 2010) and Proposals Map, together form the DP for the LBC.

6.12 The LBC are in the process of adopting a New Local Plan which will replace the Core Strategy and Development Management Policies Document. The New Local Plan is currently at Preferred Options stage, the last consultation closed on 17 April 2015. The New Local Plan is due to be adopted in 2016.

6.13 The NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with NPPF policies: the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given. The New Local Plan whilst not yet adopted holds little material weight.

6.14 The policies of most relevance to the consideration of the proposed development detailed under each topic specific section of this report. They have all informed the preparation of the application proposals.

## **Other Material Considerations**

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### **Regional**

6.15 The following supplementary planning documents and guidance (SPDs /SPGs) are relevant to this application:

- Housing SPG (November 2012);
- Shaping Neighbourhoods: Play and Informal Recreation SPG (September 2012); and
- Sustainable Design and Construction SPG (April 2014).

### **Local**

6.16 The following guidance documents and studies prepared by the LBC are relevant to this application:

- CPG 1 – Design;
- CPG 2 – Housing;
- CPG 3 – Sustainability;
- CPG 5 – Town centres, retail and employment;
- CPG 6 – Amenity and;
- CPG 8 – Planning Obligations.

## 7. DEMOLITION

- 7.1 11 Blackburn Road is an underused brownfield site in the Hampstead Interchange Growth Area. The site is in need of investment and renewal, which can be facilitated by the demolition of the existing utilitarian warehouse. This section provides the justification for this demolition.

### Policy

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- 7.2 Schedule 2, Part II of the Town and Country Planning (General Permitted Development) Order 2015 outlines the criteria for demolition to be undertaken via prior approval. The scheme meets the criteria set in the GPDO and as such it would be possible to demolish the modern warehouse under permitted development rights. This is the baseline position for considering this case for demolition.

### Assessment

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- 7.3 Before construction work can commence the existing modern warehouse building needs to be demolished in its entirety; this would include removing the boundary wall facing onto Billy Fury Way. The Victorian warehouse would be retained and converted as part of the proposals.
- 7.4 When considering the principle of demolition the baseline planning position is the building could be removed under permitted rights and further the building has no architectural merit considered in the context of the surrounding area. Nonetheless, this planning assessment justifies the case for demolition, outlining the building's current condition and use and the redevelopment opportunity that would be created.
- 7.5 The modern warehouse building is not listed, nor is it located within a conservation area. As such, via the prior approval process, the modern warehouse could be demolished under permitted development rights, as outlined above.
- 7.6 The existing building has limitations associated with its form and structure, meaning that the warehouse functions poorly in practical utility terms. It also has compromised access arrangements, limited light levels and poor quality climate control. The building's energy performance also falls below today's standards set by the Building Regulations and as sought by planning policy.
- 7.7 The structural form and condition of the building prevents it from being adapted, it is simply not possible to overcome these existing deficiencies, which are inherent to the building, through refurbishment or substantive works.



7.8 Leaving the building in its existing condition is not an option. This would lead to a further decline and the site would become an increasing financial burden on the applicant. Furthermore, this building does not contribute to the character and appearance of the surrounding area and in this context, officers accepted the principle of demolition at pre-app.

7.9 Officers accepted that redevelopment of the site would also not viably, or feasibly, be facilitated through the upgrading of the current building fabric. The demolition of the warehouse building would facilitate the redevelopment of this development site, to provide seven, energy efficient, high quality modern terraced houses. Flexible employment (Class B1) space would be re-provided in the ground floor of the Victorian warehouse.

7.10 Redevelopment would offer substantial practical utility benefits, including:

- Full accessibility for all, provided through the new homes built to Lifetime Home standards and 10% of units wheelchair accessible, and level access to employment areas; and
- Spacious, flexible commercial accommodation, which is more readily adaptable – allowing for floorplans to be revised and enabling improved means of climate control.

7.11 Redevelopment of the site would also enable construction and energy to be considered again from first principles. The new building would make a substantial contribution towards environmental efficient and sustainable energy generation in line with the energy hierarchy. The benefits likely to be achieved are significantly in excess of those which would be achieved through refurbishment of the building. The sustainability and energy efficiency gains achieved over the life cycle of the building through redevelopment are therefore considered to be a key planning advantage and a positive reason for renewal.

## **Summary**

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7.12 The Victorian warehouse would be retained and it is proposed that the modern warehouse would be demolished, as this could be achieved by the applicant, by exercising the permitted development rights of the building.

7.13 Demolition and comprehensive redevelopment would meet the Council's and developer's aspirations for the site, delivering the best overall package of planning benefits in the public interest, including:

- Securing housing in the Borough and a future viable use of the site;
- Improving the site's safety and security;
- Introducing of high quality modern architecture;

- Enhancing the employment floorspace offer which would contribute to the local economy by providing jobs and activity into the area;
- Removing warehouse which is incompatible with the proximity of local residents; and
- Providing future flexibility and minimising energy running costs.

## 8. EMPLOYMENT PROVISION

8.1 The objective of the scheme is to re-provide high quality new employment floorspace, which is of good practical utility, provides space for existing users and is flexible and adaptable for modern B1 occupiers.

8.2 The planning case is as follows:

- The existing employment floorspace on site is poor quality;
- The modern warehouse proposed to be demolished detracts from the character and appearance of the area;
- The employment floorspace currently achieved on site is of a poor practical utility;
- It does not meet the needs of the current tenants, nor can it meet the needs of the market;
- It provides a low density of employment in terms of jobs;
- The investment required to bring the modern warehouse building up to a suitable (useable) standard makes this course of action unviable;
- The building could be demolished without planning permission;
- As such, a more proactive approach has been taken to the re-provision of employment floorspace, with B1 space is re-provided in the Victorian warehouse which would additionally benefit from investment to support this use.

8.3 The proposed scheme would provide the following benefits:

- Flexible and adaptable employment (Class B1) floorspace;
- Employment (Class B1) floorspace that meets the needs of current Class B1 occupiers;
- Improve the energy and thermal efficiency of the Victorian warehouse; and
- Provides the optimum density of employment space;

### Policy

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8.4 Through the NPPF the Government has made a commitment to ensuring that the planning system does everything it can to support sustainable economic growth. It is clear that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

8.5 The core planning principles set out at Paragraph 17 of the NPPF seeks to proactively drive and support sustainable economic development to deliver the homes, business and industrial units,

infrastructure and thriving local places that the country needs. The core planning principles also encourage the effective use of land by reusing land that has been previously developed and promote mixed-use developments to encourage the multiple benefits deriving from the mixed use of land.

- 8.6 The NPPF also encourages the reuse of former employment sites to deliver alternative uses such as housing, where they provide no real prospect of catering to employment uses and job growth (Paragraph 22).
- 8.7 London Plan Policy 4.4 advises that the Mayor will work with boroughs and other partners to plan, monitor and manage the release of surplus industrial land, so that it can contribute to strategic and local planning objectives, especially those to provide more housing. Further guidance is provided in the Mayor's Housing SPG.
- 8.8 Core Strategy Policy CS1 (Distribution of Growth) encourages the best use of Camden's limited land and expects the provision of a mix of uses in suitable schemes, in particular in the most accessible parts of the Borough. Policy CS3 of the Core Strategy provides more detail on the Council's approach in decision taking.
- 8.9 Core Strategy Policy CS8 (Promoting a Successful and Inclusive Camden Economy) safeguards existing employment sites and premises in the borough that meet the needs of modern industry and other employers. This policy also expects new development to provide a mix of employment facilities and types, including the provision of facilities suitable for small and medium sized enterprises (SMEs). It also recognises the importance of other employment generating uses, including retail, markets, leisure, education, tourism and health.
- 8.10 Development Management Plan Policy DP13 (Employment Sites and Premises) should be read alongside Policy CS8. It ensures that sufficient sites are retained to enable a variety of commercial and industrial businesses to find premises allowing them to continue to operate. In justifying a loss of employment floorspace is must be demonstrated that:
- The site or building is no longer suitable for its existing business use; and
  - There is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.
- 8.11 Where a change of use can be justified, the Council will seek to maintain some business use on site, with a higher priority for retaining flexible space that is suitable for a variety of business uses. Further guidance on acceptable marketing activity is provided in CPG5 (Town Centres, Retail and Employment).

- 8.12 Development Management Plan Policy DP1 (Mixed Use Development) will require a mix of uses in development where appropriate in all parts of the borough, including a contribution towards the supply of housing.
- 8.13 In tandem with Policy DP1, Development Management Plan Policy DP2 (Making Full Use of Camden's Capacity for Housing) seeks to maximise the supply of additional homes in the borough, especially homes for people unable to access market housing. This includes underused or vacant sites which are expected to maximise supply of housing, whilst also taking into account any other uses that are needed on the site.

### **Assessment**

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- 8.14 This assessment should be read in conjunction with the letter provided by LDG which accompanies this application and supporting letters provided by the current tenants at **Appendix 3**.

#### **Existing Employment Floorspace**

- 8.15 On 20 March 1998, planning permission was granted for the continued use of the building as an art centre (ref: PW9702785R1). It is unclear how long up until this point the building had been used as an art centre (Class B1). However, the building has been in this Class B1 use continuously since 1998.
- 8.16 The existing building has limitations associated with its form and structure that mean the warehouse and office functions perform poorly in practical utility terms. It also has compromised access arrangements, limited light levels and poor quality climate control. The building's energy performance also falls below today's standards set by the Building Regulations and as sought by planning policy.

#### **Modern Warehouse**

- 8.17 The structural form and condition of the building prevents it from being adapted, it is simply not possible to overcome these existing deficiencies, which are inherent to the building, through refurbishment or substantive works.
- 8.18 The local market has clearly changed since the building was constructed as a warehouse. This site is no longer suitable for employment (Class B1) use for the following reasons:
- It's use is a historic anomaly in this predominantly commercial/residential location;
  - The building is in a poor state of repair and thermally inefficient;
  - The building does not represent the type of employment (Class B1) space that current B1 users are looking for;

- There has been a continued shift away from occupiers looking to occupy individual and/or older industrial stock; and
- There is a growing trend of operators wanting to cluster with likeminded businesses on purpose built estates.

8.19 The Council seek to protect employment sites and uses. However, the overwhelming sustained market evidence shows that the building and site, are no longer suitable for continued business use, in accordance with Development Management Plan Policy DP13 and CPG3.

**Re-provision of Employment Space**

8.20 While the building and site are no longer suitable for B1 use, Development Management Plan Policy DP13 also asks developers to consider whether there is evidence to support the retention, reuse and redevelopment of the site, or building, for similar or alternative business use and that this has been fully explored over an appropriate period of time. This proposal would maintain some business use on site, provided within the Victorian warehouse, with a higher priority for retaining flexible space that is suitable for a variety of business uses including SMEs and those seeking flexible employment floorspace, as required by Development Management Plan Policy DP13 and CPG3.

8.21 The scheme would re-provide employment floorspace, in the form of flexible employment space (Class B1). The space would be efficient and suitable to meet modern requirements, and would be compatible with the character and mix of uses in the local area.

8.22 The proposed 210 sq m GIA of B1 floorspace would be provided in the form of flexible units, which would allow subdivision to promote occupation, if required.

8.23 Whilst the scheme would result in a net loss of B1 employment floorspace, provision would be given to the existing artist occupiers of the site to move into the retained and refurbished Victorian warehouse which would provide a high quality B1 flexible employment space. As such, there would be no loss of employment at the site as a result of the proposed scheme.

8.24 Tables 8.1 and 8.2 below, describe the total number of full time jobs currently provided on site compared the potential number of jobs that could be created following the implementation of the proposed scheme.

8.25 Table 8.2 is based on the formula outlined in the “Employment Densities Guide: 2<sup>nd</sup> Edition | 2010”.

**Table 8.1 Existing No. of Jobs Provided On-Site**

Existing Employment Floorspace (GIA)	Current No. of Full Time Jobs
2,645 sq.m	4

**Table 8.2 Proposed Employment Floorspace**

Proposed Employment Floorspace (NIA)	Potential No. of Full Time Jobs
178.2 sq.m	14.9

**Benefits of Redevelopment**

- 8.26 Paragraph 22 of the NPPF encourages the reuse of former employment sites to deliver alternative uses such as housing, where they provide no real prospect of the site being used for employment purposes. Coupled with this, the NPPF requires LPAs to ‘boost significantly the supply of housing’ (Paragraph 47) and should be considered in the context of the presumption in favour of sustainable development (Paragraph 49).
- 8.27 The proposed development would provide nine new homes, comprising a mix of houses and apartments with a well balanced mix of unit sizes, catering for a range of households from families through to smaller households.
- 8.28 The proposal provides the opportunity for substantial improvement of the appearance of the site and its contribution to the character of its surroundings. The current modern warehouse building has no architectural merit and it will be replaced by high quality modern terraced houses that would better integrated into the local area and which would provide substantial enhancement to the character and appearance of the area.

**Conclusions**

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- 8.29 In summary:
- The modern warehouse premises is not fit for purpose from a condition point of view;
  - The local market and warehouse operator requirements have changed and the building is not fit for purpose;
  - Employment floorspace would be re-provide in the form of modern and efficient space suitable for the continued occupation of the artists;
  - Redevelopment would deliver new homes. The release of this redundant employment site to this use is supported by policy;
  - The scheme would provide a mix of houses and apartments, catering for a range of households from families through to smaller households; and
  - The proposed development would make good use of an underutilised site in the spirit of policy designation for the area.

8.30 The relevant policy tests have been satisfied and it has been demonstrated that the site should be released for an alternative use. This alternative use would secure the effective re-use of this brownfield site providing homes and floorspace for businesses. This accords with the NPPF encourages the planning system to proactively drive and support sustainable economic development to deliver the homes and business units; to promote and recognise the multiple benefits of mixed-use developments; and to encourage the effective use of land by reusing brownfield sites.



## 9. HOUSING

- 9.1 This section outlines the proposed housing benefits of the scheme as a priority land use in Camden including details on residential mix, affordable housing and the residential density.

### Policy Context

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- 9.2 In delivering a wide choice of high quality housing, the NPPF requires that LPAs 'boost significantly the supply of housing' (Paragraph 47) and reinforces that housing applications should be considered in the context of the presumption in favour of sustainable development (Paragraph 49).

- 9.3 The NPPF is also clear that:

*'to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable' (Paragraph 173).*

- 9.4 The Mayor's adopted Further Alterations to the London Plan (2015) states that there is a pressing need for new homes in order to promote opportunity and to provide a real choice for all Londoners.
- 9.5 London Plan Policy 3.3 (Increasing Housing Supply) also supports increasing housing supply, and states boroughs should meet and exceed their annual average housing target.
- 9.6 London Plan Policy 3.4 (Optimising Housing Potential) states that residential development proposals should take account local context and character, the design principles, and public transport capacity in optimising housing output.
- 9.7 London Plan Policy 3.8 (Housing Choice) requires that new housing developments offer a range of housing choices, in terms of the mix of housing sizes and types.
- 9.8 London Plan Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed-use Schemes) seeks the maximum reasonable provision of affordable housing from private residential and mixed use developments, having regard to local need, development viability and the need to encourage rather than restrain development.
- 9.9 Core Strategy Policy CS1 (Distribution and Growth) encourages development with high densities in the most accessible parts of the Borough. Alongside which Core Strategy Policy CS6 (Providing Quality Homes) aims to make full use of Camden's capacity for housing. Policy CS6 sets an

affordable housing target of 50% of the total addition to housing floorspace with a 60% social rented housing and 40% intermediate tenure split. The Council will apply the target of 50% affordable housing with regard to a sliding scale from 10% for developments with capacity for 10 dwellings to 50% for developments with capacity for 50 dwellings.

- 9.10 Development Management Plan Policy DP2 (Making Full Use of Camden’s Capacity for Housing) seeks to maximise the supply of additional homes in the borough, especially homes for people unable to access market housing.
- 9.11 Development Management Plan Policy DP3 (Contributions to the Supply of Affordable Housing) supports the delivery of Core Strategy Policy CS6, which aims to secure high quality affordable housing for Camden households that are unable to access market housing.
- 9.12 Development Management Plan Policy DP5 (Homes of Different Sizes) identifies different dwelling size priorities for social rented housing, intermediate affordable housing and market housing.
- 9.13 Local detailed guidance on housing can be found in CPG 2 (Housing).

### **Assessment**

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- 9.14 The scheme involves the creation of a total of nine residential units in a highly sustainable location. This would assist the Council in meeting its London Plan FALP target of over 8,892 new homes by 2025, as such this scheme complies with London Plan Policy 3.3 and CS Policy CS6.

### **Housing Density**

- 9.15 The proposed mix and layout of the scheme complements the character of the surrounding area, and the varied pattern of development surrounding the site. Whilst ensuring that the most efficient use is made of this currently vacant brownfield site, as advocated by the NPPF.
- 9.16 The proposed development incorporates a density of 647 habitable rooms per hectare, or 91 dwellings per hectare. In the context of London Plan Policy 3.4 and Table 3.2, the site is located within an urban area, with a PTAL of 6b. Table 3.2 suggests a residential density in the range of 200 habitable rooms per ha, or 700 units per ha. As such the scheme complies with policy.
- 9.17 The London Plan is clear that density should not be applied mechanistically, but it can provide a useful starting point to optimising housing output. It also clarifies that a number of factors, including open space, play and transport capacity, are relevant considerations in optimising potential for housing output. These issues are dealt with in full, in their respective sections of this statement.

- 9.18 The scheme has taken reference from the surrounding residential areas to guide the shape and density of the development. Furthermore, the scheme would take a site completely covered by a warehouse and transform it to provide substantial greening and high quality public realm.
- 9.19 Overall, it is considered that the density of the scheme strikes an appropriate balance between the efficient utilisation of the site, the optimisation of development capacity, compatible with the local area context and public transport accessibility.
- 9.20 The proposed development ensures the efficient and sustainable reuse of this brownfield site, and would deliver nine new homes, in a mix and layout that respects the character and local need, and adheres to principles of good design as advocated by the NPPF, London Plan Policy 3.4 and the Mayor's Housing SPG.

### **Housing Mix**

- 9.21 The residential redevelopment provides a mix of seven 2-bed houses and two 2-bed flats. The dwelling size priorities table found within the Camden Development Document identifies a critical need for 2-bed market housing. The Council has identified that it aims to provide 40% of market housing as two bedroom homes.
- 9.22 As such, the proposed scheme would make a small but significant contribution to the supply of the two bedroom housing market supply.
- 9.23 The mix of housing sizes is in line with the Council's Policy DP5 and in accordance with London Plan and NPPF, which require developments to contribute to the creation of mixed and inclusive communities including a mix of large and small homes in all residential developments.

### **Tenure**

- 9.24 The scheme does not propose to provide affordable housing on site or off site. Instead, the scheme proposes to make a payment in lieu to the Council.
- 9.25 Using the sliding scale that the Council provide to work out how much affordable housing a site must provide, the site in question would be required to provide 12% of the residential units as affordable. This would equate to approx. 1½ residential units being affordable or 271.9 sq.m (GEA).
- 9.26 Policy DP3 (Contributions to the Supply of Affordable Housing) states that payment in lieu of providing affordable housing on or off site will only be considered in exceptional circumstances.
- 9.27 Providing affordable housing on site would result in only one unit being allocated as an affordable homes. This is not considered to be an optimal strategy in the provision of affordable housing, resulting in a piecemeal delivery of units.

- 9.28 If located within the Victorian warehouse, a single affordable unit provided as part of this development would likely share access with the private units. As such, a single affordable unit in an otherwise private development would also prove to be unattractive to RPs who normally prefer affordable housing units (especially where the provision is just a single unit) to have separate accessibility and management.
- 9.29 Any affordable home proposed on-site would likely not be affordable on account of its likely high price and high service charge that would be associated with it.
- 9.30 The site is bordered by a railway and located behind and away from Blackburn Road. This makes the site difficult to access and constrained in nature. This would make the site difficult for a Registered Provider (RP) to service and manage.
- 9.31 Given the above, it is considered that to provide the affordable housing on-site or off-site would not be the optimal strategy for delivering the affordable housing contribution of the scheme in the best interests of the borough.
- 9.32 It is considered that a payment in lieu is the best method by which to deliver the affordable housing contribution of the scheme. A payment in lieu made to the affordable housing fund would afford the Council the following benefits to:
- Deliver affordable housing in the most optimal way;
  - Provide affordable housing in a properly planned way with an RP; and
  - Optimise the delivery of affordable housing across the borough, allowing it to be focused in areas where it is most needed.
- 9.33 Using the Council's prescribed formula for working out the financial contribution of a scheme towards affordable housing, it has been established that this particular scheme would be required to pay £396,440. This would be secured as a planning obligation. **Appendix 4** provides further details.
- 9.34 Mindful of the above, it is considered that the best and most effective way for the proposed scheme to make an affordable housing contribution is via a payment in lieu. Given the exceptional circumstances explained above, it is considered that the scheme fully complies with London Plan Policy 3.12, Development Management Policy DP3 and CPG8 and paragraph 4.4.19 of the Mayor's Housing SPG (2012)

## Housing Density

- 9.35 The proposed mix and layout of the scheme complements the character of the surrounding area, and the varied pattern of development surrounding the site. Whilst ensuring that the most efficient use is made of this currently vacant brownfield site, as advocated by the NPPF.
- 9.36 The proposed development incorporates a density of 647 habitable rooms per hectare, or 91 dwellings per hectare. In the context of London Plan Policy 3.4 and Table 3.2, the site is located within an urban area, with a PTAL of 6b. Table 3.2 suggests a residential density in the range of 200 habitable rooms per ha, or 700 units per ha. As such the scheme complies with policy.
- 9.37 The London Plan is clear that density should not be applied mechanistically, but it can provide a useful starting point to optimising housing output. It also clarifies that a number of factors, including open space, play and transport capacity, are relevant considerations in optimising potential for housing output. These issues are dealt with in full, in their respective sections of this statement.
- 9.38 The scheme has taken reference from the surrounding residential areas to guide the shape and density of the development. Furthermore, the scheme would take a site completely covered by a warehouse and transform it to provide substantial greening and high quality public realm.
- 9.39 Overall, it is considered that the density of the scheme strikes an appropriate balance between the efficient utilisation of the site, the optimisation of development capacity, compatible with the local area context and public transport accessibility.
- 9.40 The proposed development ensures the efficient and sustainable reuse of this brownfield site, and would deliver nine new homes, in a mix and layout that respects the character and local need, and adheres to principles of good design as advocated by the NPPF, London Plan Policy 3.4 and the Mayor's Housing SPG.

## Conclusion

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- 9.41 This scheme would contribute to the Government's overarching objective to re-use brownfield sites to boost housing supply. Other benefits include:
- A strong mix of residential unit sizes and types in line with LBC's priority for 2-beds;
  - High quality living environment in new homes within an attractive urban courtyard setting;
  - Off-site payment to ensure the delivery of affordable housing; and
  - A site that would better integrate with its surroundings and supports efficient and long-term sustainable use of the site.

9.42 Mindful of the above, the proposed scheme would fully comply with the Development Plan policies of the London Borough of Camden with regards to Housing and Affordable Housing.

## 10. DESIGN

10.1 Design has been fully considered throughout the development of the proposal. This section seeks to provide a summary of the proposal and its design in the context of relevant policy.

### Policy

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10.2 The need for good design is addressed in Section 7 of the NPPF. Paragraph 61 states that while securing high quality and inclusive design goes beyond aesthetic considerations.

10.3 Paragraph 58 of the NPPF states that plan making and decision taking should seek to ensure that development:

- functions well and adds to the overall quality of the area over the lifetime of the development;
- establishes strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimises the potential of the site to accommodate development, create and sustain an appropriate mix of uses, and support local facilities and transport networks;
- responds to local character and history, reflects the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- creates safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and landscaping.

10.4 Paragraph 59 also states that LPAs should avoid:

*'unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally'.*

10.5 London Plan Policy 7.1 seeks to ensure that the design of new buildings and the spaces they create should help to reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood.

10.6 London Plan Policy 3.8 requires all new housing to be built to lifetime home standards and for 10% of new housing to be designed to be wheelchair accessible or easily adaptable. This reflects Development Management Plan Policy DP6 (Lifetime Homes and Wheelchair Homes).

- 10.7 London Plan Policy 7.3 states that developments should look to reduce opportunities for criminal behaviour and contribute to a sense of security. The general principles of this Policy are also included reflected in local policy.
- 10.8 The Mayor's Housing SPG also sets out various baseline and good practice standards.
- 10.9 London Plan Policy 3.6, supported by the Housing SPG and Shaping Neighbourhoods: Plan and Informal Recreation SPG (2012) along with CPG6 (Amenity), provide the most up to date guidance on provision of playspace.
- 10.10 Core Strategy Policy CS5 (Managing the Impact of Growth and Development) seeks to protect the amenity of Camden's residents and those working in and visiting the Borough.
- 10.11 Development Management Plan Policy DP24 (Securing High Quality Design) requires the highest standard of design and sets out criteria for developments to aspire to. Further guidance is provided in CPG1 Design it states that schemes should consider:
- The context of a development and its surrounding area;
  - The design of the building itself;
  - The use of the building;
  - The materials used; and
  - Public spaces.
- 10.12 Development Management Plan Policy DP26 (Managing the Impact of Development on Occupiers and Neighbours) sets out the factors development proposals should consider in order to protect the quality of life of occupiers and neighbours.

### **Assessment**

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- 10.13 The proposed scheme has a unique high quality design. The Design and Access Statement (DAS), prepared by Horden Cherry Lee Architects (HCLA), sets out the design rationale for the scheme. The scheme has been subject to detailed negotiations with planning and design officers and the comments received from officers have been incorporated into the scheme, the key changes are outlined in Section 4 'Pre-application Consultation'.

### **Built Form of the Development**

- 10.14 This design-led scheme has been informed by an understanding of key characteristics of the area, the site constraints and the history of the site.



- 10.15 The existing modern warehouse building is at odds with the pattern of development in the wider area. The building's large footprint is substantial in comparison to the narrow plot pattern of the neighbouring streets and the district centre.
- 10.16 The development is set around a courtyard with the new homes and commercial space framing the space. The public realm is a key element of the scheme and aims to open up the site. The objective is to create a piece of high quality space which people would feel they could dwell and relax in, and walk through. The layout of the development would foster natural surveillance, creating a relatively peaceful environment in this London location.
- 10.17 The height of the proposed development ranges from ground plus three storeys for the terraced houses on the eastern boundary of the site to ground plus one for the Victorian warehouse, including a rear extension. The proposal uses a contrast in materials, varying reveals, stepped and recessed massing and lighter weight upper storeys to successfully articulate the building to create design interest. As such, the proposed building is considered to be appropriately scaled for the context and would make a positive contribution to the visual amenities of the area.
- 10.18 The proposed commercial units at ground floor in this part of the site have been designed to ensure they provide a modern, flexible and efficient format suited to owner-occupied and small or start-up businesses. The access and layout of this space has been designed to maximise security for both residents and businesses and to minimise any potential conflict between commercial occupiers and residents of the apartments above. The location of the commercial space near to West End Lane would help to draw people through the site and create a vibrant mixed use development.

#### **High quality new homes**

- 10.19 All residential units have been designed to exceed the Mayor's minimum internal space standards set out in Table 3.3 of the London Plan, in doing so the scheme also complies with the Council's guidance, CPG2 Housing.
- 10.20 In relation to Lifetime Homes and wheelchair accessible dwellings, London Plan Policy 7.2 seeks to ensure that proposals achieve the highest standards of accessibility and inclusion, and all developments should seek to better minimum access requirements. Policy 3.8 of the London Plan requires all new housing to be built to Lifetime Homes standards and that 10% of new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 10.21 The Mayor's Housing SPG and Camden's CPG2 provide good practice standards for room dimensions/ areas in respect of main sitting areas, double/ twin bedrooms, single bedrooms and living/ kitchen/ dining areas. The development complies with these policies.

10.22 The layout and internal configuration of all the proposed dwellings have been designed to ensure that future occupants benefit from appropriate levels of privacy, daylight and sunlight.

#### **Elevations / materials**

10.23 The palette of materials takes inspiration from the local area and positive contributors to the character and appearance of the area. The primary materials proposed are:

- Mixed London stock facing brick;
- Aluminium thermally broken windows;
- Photovoltaic louvers;
- Anodised aluminium cladding; and
- Painted steel balconies/balustrades.

10.24 This high quality material palette would help to create a visually attractive space and takes appropriate positive cues from the vernacular. It is anticipated that the detailed finished of the materials would be agreed by way of condition with the Council. However, the proposals are considered to comply with Policy DP24 and Paragraph 56 of the NPPF.

#### **Landscaping**

10.25 Landscaping is a key element in the overall design of the scheme, incorporating hard and soft in a central courtyard area, private gardens for the town houses as well as green roofs. The Design and Access Statement includes a discussion on the landscape approach taken and describes the quality of the proposed landscaping in greater detail.

10.26 Within the development site it is proposed to plant a range of appropriate trees, to soften the new public realm that would be created and to create character within the garden spaces. Species chosen are small-to-medium-sized trees with interest at different times of the year.

10.27 The materials chosen for hard landscaping are of a high quality. It is proposed to use tonal and textural differences to delineate public and private spaces and at the entrances to the site. This should also help deter cyclists from rising through the site. The design of the proposal has been reviewed following comments made by officers at pre-app and is considered to comply with Policy DP24.

#### **Private and Communal Space**

10.28 The town house units would benefit from private amenity spaces in accordance with the Mayor's Housing SPG which requires 5 sq m of private amenity space for each 1-2 person dwelling and an extra 1 sq m for each additional occupant.

10.29 In addition, the development provides a communal public realm in the form of courtyard landscape with planted trees and children's playspace. These would not only introduce interest and colour to the space but would also provide an opportunity to encourage biodiversity on this site.

10.30 The communal garden space has been designed to be an attractive open space. It is a secure environment, accessible only by residents of the development.

#### **Safe and Secure**

10.31 The proposal has been guided by the principles of Secured by Design in order to reduce the opportunity for crime, the fear of crime, and create a safer and more secure environment.

10.32 The design strikes a balance between creating public and semi-private amenity areas that are readily visible yet do not infringe on privacy.

#### **Managing the Impact of Development on Neighbours**

10.33 The layout, height and massing of the proposed development has been influenced by the need to ensure that the amenities of adjacent occupiers are not prejudiced. Accordingly, careful consideration has been given to separation distances, levels on site and those of adjacent dwellings.

10.34 The distances between the rear of the homes located to the south of the site on Blackburn Road and nearest window on the front elevation at first floor of the Victorian warehouse have been calculated.

10.35 The distance between the rear of the residential properties and the front elevation of the Victorian warehouse is 11.2 m at its closest point. CPG 6 (Amenity) states that there should be a minimum distance of 18 m between the windows of habitable rooms of different units that directly face each other.

10.36 Whilst 18 m is considered to be the ideal standard between habitable rooms, this standard is rarely met in a densely populated urban location such as London. It should also be noted at this point that the rear of the residential units are offset in their position to the front elevation of the Victorian Warehouse.

10.37 In any case, there are no new windows proposed as part of the refurbishment of the Victorian Warehouse and as such there would be no increase in overlooking on the existing situation.

10.38 The massing and orientation of the proposed development takes into account the requirement to respect the amenity of existing residents whose properties lie in close proximity to the application site. In particular, the houses that front onto Blackburn Road. Given the location and orientation of

the scheme there would be no adverse effect on the privacy of residents living on Blackburn Road. As such, it is considered that the proposal complies with Policy DP26.

## **Conclusions**

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10.39 The proposed redevelopment of 11 Blackburn Road would:

- Deliver a high quality of mixed use development, providing a desirable living environment within an appealing landscaped setting.
- Establish a sense of place, by using streetscapes and buildings to create an attractive and comfortable place to live and work.
- Function well over the lifetime of the development, create a strong sense of place, optimise the potential of the site including provision of new green space, responding positively to the local character.
- Provide a cohesive and integrated environment, which would encourage people out of their properties and promote movement through and use of the outdoor space within the development.
- Provide good quality, useable private and communal amenity space for recreation and general enjoyment.

## 11. OTHER PLANNING CONSIDERATIONS

11.1 This section provides a summary of the other planning considerations of the proposed development including:

- Energy & Sustainability;
- Transport;
- Ground Contamination;
- Air Quality; and
- Noise.

### Energy & Sustainability

#### Policy

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11.2 The environment is one of the three key pillars underpinning the Government's concept of sustainable development, outlined in the NPPF and NPPG.

11.3 Section 10 of the NPPF identifies the role that planning plays in helping shape places to secure radical reductions in greenhouse emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.

11.4 Paragraph 96 of the NPPF states that LPAs should expect new development to comply with adopted local plan policies or local requirements for decentralised energy, wherever feasible, and to take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

11.5 Paragraph 98 of the NPPF states that applications should be approved if its impacts are, or can be made acceptable, unless material considerations indicate otherwise.

11.6 The London Plan provides the regional standard for sustainability with Policy 5.2 stating that major development proposals should approach sustainability in accordance with the hierarchy: Be lean; Be clean; Be green. Policy 5.2 sets out that residential buildings are expected to achieve a reduction in carbon dioxide emissions of 35% compared with a Part L compliant Buildings Regulations 2013 baseline.

- 11.7 London Plan Policy 5.3 states that development proposals should ensure that sustainable design standards are integral to the proposal, including its construction and operation, and ensure they are considered at the beginning of the design process.
- 11.8 Policy 5.7 seeks to increase the proportion of energy generated from renewable sources, and that the minimum targets for installed renewable energy capacity will be achieved in London. Development proposals should provide a reduction in carbon dioxide emissions through the use of onsite renewable energy generation, where feasible.
- 11.9 The Mayor provides further guidance in his Sustainable Design and Construction SPG (April 2014).
- 11.10 At a local level the Council's leading policy on sustainability and energy is Core Strategy Policy CS13 (Tackling Climate Change Through Promoting Higher Environmental Standards). This is supported by Development policies DP2 (Making Full Use of Camden's Capacity for Housing) and DP22 (Promoting sustainable design and construction). Further guidance at a local level is provided in CPG 3: Sustainability.

### **Assessment**

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- 11.11 This assessment reviews the findings of the sustainability and energy assessments, provided by Icen Projects Ltd.

### **Energy**

- 11.12 The proposed energy strategy for the scheme at 11 Blackburn Road is based upon the current planning policy regime as detailed in the Core Strategy and CPG3.
- 11.13 The approach follows the Energy Hierarchy, with priority given to efficient design on the basis that it is preferable to reduce carbon emissions by reducing energy demand than through the use of low or zero carbon technologies.
- 11.14 Section 4 highlights the key proposed energy efficiency measures; and the feasibility study detailed in Sections 5 and 6 has highlighted that decentralised energy (via connection to a decentralised energy network or on-site CHP) is not suitable for the proposed development; and has promoted the use of photovoltaics to achieve the desired carbon savings.
- 11.15 The photovoltaics shall be incorporated in the glass louvres applied vertically in front of the southern elevation and horizontally above the roof level of the new build terraced houses. Photovoltaics are not considered an option for the Victorian warehouse as the only appropriate placement would be the southern facing slope of the pitched roof, which would have an adverse

impact on the appearance of the building. The proposed approach therefore makes best use of the potential of the site for renewable energy generation.

- 11.16 The energy strategy for the new build houses shall reduce carbon emissions by ~21.4% against the Building Regulations 2013 Target Emission Rate (Part L1A TER), with ~20% of savings attributed to the renewable energy generation by the photovoltaics. Approximately 9.6kWp of photovoltaics shall be installed and the carbon savings shall amount to 2,780.0 kg CO<sub>2</sub>/annum in total.
- 11.17 This level of performance will be consistent with the Code for Sustainable Homes Level 4 minimum standard and Core Strategy Policy CS13 preferred level of carbon savings from renewables (see paragraph 3.11).
- 11.18 The energy strategy for the Victorian warehouse shall comprise the implementation of energy efficiency measures (subject to feasibility and viability) with a focus on the upgrade of the fabric (i.e. solid wall insulation, draught proofing, loft and ground floor insulation). A substantial improvement of the current thermal performance can be expected; resulting in a low carbon, energy efficient building.

### Carbon Savings

- 11.19 For the new build block of flats, the proposed energy strategy will yield ~20% carbon savings from renewables and an overall energy performance consistent with the Level 4 requirements of the Code for Sustainable Homes, i.e. >19% reduction beyond TER of Part L1A 2013.

**Table 11.1 The implementation of the energy hierarchy & estimated carbon savings for the new build terraced houses**

<b>The Energy Hierarchy Implementation for the new build terraced houses</b>			
	Carbon Emissions [tonnes/annum]	Carbon Savings [tonnes/annum]	Carbon Savings [%]
Baseline (BR 2013 Part L Compliant)	12.99	n/a	n/a
Energy efficiency	12.78	0.21	1.62%
Efficient Supply/CHP	n/a	n/a	n/a
Renewable energy	10.21	2.570	20.11%
<b>Total Carbon Savings</b>	<b>2.78 tonnes/annum</b>		<b>21.40%</b>

11.20 Overall, the proposed energy strategy for 11 Blackburn Road is considered consistent with the National Planning Policy Framework and policies of the London Borough of Camden and, when implemented, will provide an efficient and low carbon development.



## Sustainability

- 11.21 A high degree of environmental protection and sustainability measures have been included in the design of the scheme. These include the following:
- Compliant reductions in CO<sub>2</sub> emissions;
  - Significant reductions in mains water use through efficient devices and extensive use of rainwater harvesting;
  - Sustainable drainage techniques;
  - Sustainable construction methods reducing impact on the surrounding area;
  - Mixed use development giving benefit to the economic and social aspects of the wider area;
  - Resource efficiency to be incorporated through material selection and recycling; and
  - Measures incorporated to monitor and report on the operational sustainability of the scheme.
- 11.22 The Sustainability Statement outlines the above measures in further detail and assesses the sustainable design and construction measures included in the proposals against the relevant London Plan and LBC policies. It concludes that the development proposals would achieve high levels of environmental protection and economic viability. Accordingly it meets and in some cases exceeds relevant planning policy.

## Conclusions

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- 11.23 Sustainability is central to the proposals which would secure the efficient re-use and optimisation of this brownfield site in accordance with the core planning principles of the NPPF and the overarching aims of the London Plan and the Council's policy.

In designing the proposal due regard has been given to the energy hierarchy. As required by Paragraph 96 of the NPPF; the proposal would comply with adopted local plan policy requirements for decentralised energy, wherever viable and feasible in the future. The scheme incorporates design features and renewable technologies which would achieve the required carbon emission reductions in accordance with London Plan Policy 5.2 and local policy.

## Transport

- 11.24 This section provides an overview of the key transport considerations relating to the proposal. The Transport Statement (TS), prepared by TTP Consulting Ltd, and accompanying this planning application, sets out detailed analysis and consideration of the traffic and transport matters associated with the proposed development

## **Policy**

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- 11.25 The NPPF (paragraph 29) recognises that transport policies have an important role to play in facilitating sustainable development and states that the transport system should be balanced in favour of sustainable transport modes and giving people a real choice about how they travel.
- 11.26 Importantly, paragraph 32 of the NPPF which states that ‘development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe’.
- 11.27 Policy 6.3 of the London Plan encourages development proposals to ensure that the impact on the transport capacity and transport network is acceptable, with the London Plan highlighting that development should not adversely affect safety on the transport network.
- 11.28 The Mayor’s Transport Strategy (2010) sets out policies and proposals to achieve the goals set out in the London Plan providing a vision of London as an exemplary sustainable world city.
- 11.29 The Core Strategy aims to both address the existing deficiencies in transport in the Borough and to ensure that planned growth is supported by adequate transport infrastructure that promotes sustainable transport choices. The Development Policies DPD sets out a number of policies which help achieve this, including Policy DP16 – The Transport Implications of Development, Policy DP17 – Walking, Cycling and Public Transport, Policy DP18 – Parking Standards and Limiting the Availability of Car Parking and Policy DP19 – Managing the Impact of Parking. The Council’s parking standards, are set out in Appendix 3 of the Development Policies.

## **Assessment**

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- 11.30 The site is highly accessible with a PTAL rating of 6b. West Hampstead Interchange is less than a five minute walk. Additionally the nearest bus stops are conveniently located on West End Lane (B150) close to the site with further stops at the West Hampstead mainline rail station, Overground station and underground station.

## **Access**

- 11.31 The site would continue to have one access from Blackburn Road. This would only be for pedestrian and cyclists as the scheme is entirely car. However, vehicles would be able to enter the site to undertake servicing. The swept path analyses submitted with the TS show that a standard panel van would be able to enter and turn within the site. The proposed development would not restrict the servicing of the site beyond the existing situation.
- 11.32 Refuse and recycling storage areas would be provided within the site. Collection of refuse and recycling would continue to take place as per the existing situation, with vehicles stopping on Blackburn Road, as for the neighbouring properties on Blackburn Road.

11.33 It is understood that residential waste and recycling is collected in the area on Thursdays. Due to the shape of the site, it would be necessary for bins to be moved by residents to a temporary collection point within the site at the back of the Blackburn Road footway.

11.34 The Transport Statement from TTP Consulting Ltd demonstrates that the development of nine residential homes and commercial floorspace, is unlikely to have any significant impact on existing traffic and highways conditions as a result of trip generation.

### **Car Parking**

11.35 In accordance with Policy DP18, no parking would be provided for residents.

11.36 The proposed parking provision is fully in accordance with the reasoned justification for Policy DP18, namely:

- Freeing space on a site from car-parking, to allow additional housing, community facilities, play areas, amenity spaces and cycle parking;
- Separate car parking spaces for the residential (Class C3) units and flexible (Class B1) employment spaces.
- Enabling additional development where parking provision would not be acceptable due to congestion problems and on-street parking stress; and
- Helping to promote alternative, more sustainable forms of transport.

### **Cycle Parking**

11.37 A total of 10 Sheffield stands would be provided within the site, at two separate locations, allowing for a total of 20 cycle space. These spaces would be provided for residents and the commercial units in accordance with the London Plan FALP policy standards. Commercial occupiers and residents would have separate stores.

11.38 The cycle spaces provided would be in accordance with the requirements of Policy DP17.

### **Conclusions**

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11.39 The Transport Statement confirms that the site provides opportunities to use modes other than the car and in particular would provide residents, staff and visitors with the opportunity to use sustainable modes of travel. The site is located close to frequent bus and rail services, which provide linkages to local facilities. As such, the site is ideally located to take advantage of sustainable travel opportunities and conforms with policy.

## Ground Contamination Policy and Legislation

- 11.40 The primary legislative mechanism for contaminated land management in the UK is Part 2A of the Environmental Protection Act (EPA) 1995. Part 2A was introduced into the EPA under Section 57 to help deal with the substantial legacy of land contamination. The legislation provides powers in relation to the identification, remediation and appointment of liability for contaminated land. It is not directed to assessing risks in relation to a future use of the land that would require a specific grant of planning permission.
- 11.41 Under Part IIA of the Environment Act 1995, LPA's are required to identify contaminated land and serve on every person who is an appropriate person a remediation notice setting out what is to be done by way of remediation and the period within which it must be done.
- 11.42 If the person who caused, or knowingly permitted the contaminating substance cannot be found, the owner and/or occupier for the time being of the property can be the appropriate person.
- 11.43 Under the legislation, contaminated land is defined as:

*“Land which is in such a condition by reason of substances in, on or under the land the land that significant harm is being caused or that there is a significant possibility of such harm being caused or that pollution of controlled waters is being, or likely to be caused.”*

- 11.44 Where the Act defines harm as:

*“Harm to the health of living organisms or other interference with the ecological systems of which they form a part and, in the case of man, includes harm to his property.”*

- 11.45 The Groundwater Regulations (1998) stated that entry of List 1 substances in groundwater must be prevented, and List II substances must be controlled.

## Assessment

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- 11.46 A Phase I Desk Study has been undertaken by Soils Limited and is submitted as part of this application. The study found that:
- The site is located on London Clay Formation with no superficial geology;
  - The historical maps and former research revealed that there are sources of pollution onsite and at the surrounding areas that that could influence the receptors at the proposed site;
  - Examination of the Environment Agency records showed that the site is not within GSPZs;
  - The Environment Agency Hydrogeological Maps showed that the surface geology to be on an unproductive strata with soils of low leaching potential;

- The regional ground water flowed to the south of the site: and
  - The Building Research Establishment report BRE 211 (2007) showed that no radon protection measures were required.
- 11.47 The report also made several recommendations to be secured by planning condition including:
- An intrusive land investigation because of existing pollution linkages;
  - A geotechnical intrusive investigation to reveal on-site sources of contamination that were not established by the Phase I Desk Study and Site Walkover;
  - A type 3 asbestos survey to be organised by the principal contractor as part of normal working practice;
  - A Phase II Intrusive Investigation; and
  - A Geotechnical Site Investigation.
- 11.48 Overall, the report concluded that the risks presented at the current site were in the low to medium category, but that some further exploratory and mitigation works were required and that these should be secured by planning condition in the normal way.

#### **Air Quality**

- 11.49 Chapter 11 of the NPPF and Paragraph 109 aims to prevent development from contributing to, or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution.
- 11.50 Policy 7.14 of the London Plan and Development Management Plan Policy DP32 (Air Quality and Camden's Clear Zone) require that consideration is given to air pollution matters. The London Plan state that proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality. As part of this, development should promote sustainable design and construction to reduce emissions and schemes should not lead to further deterioration of existing poor air quality. The aim is that they should be 'air quality neutral'.
- 11.51 Camden is a designated clear zone. This is a key way to reducing congestion and promote walking and cycling as a way of improving the borough's air quality. Policy DP32 outlines that mitigation measures will be expected in developments that are located in areas of poor air quality.
- 11.52 An Air Quality Assessment has been carried out by Environ, and found that the proposal would introduce residential receptors into a location where air quality is likely to exceed the air quality objective for annual mean NO<sub>2</sub> at external locations.
- 11.53 In terms of construction activity the report advises that emissions of dust and exhaust gases can be effectively controlled through suitable mitigation measures (further detail also provided in the

Construction Management Plan). During the operational phase of development the assessments show that the proposed energy strategy for the site would have negligible impact on air quality at the nearest location of relevant exposure.

11.54 Overall, the risk of exposure to poor air quality to future residents would be mitigated by:

- The site's location away from the roadside;
- The scheme being mechanically ventilated;
- The scheme being car free; and
- Introduction of soft landscaping;

11.55 For these reasons, it is considered that the development would not demonstrably contribute to, be put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. The proposal therefore complies with London Plan Policy 7.14 and the Development Management Plan Policy DP32.

### Noise

11.56 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing new development being put at unacceptable risk from noise pollution.

11.57 The FALP Policy 7.15 (Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes) has an overarching aim to reduce and manage noise to improve health and quality of life.

11.58 At a local level the Council's policy, Development Management Plan Policy DP28 (Noise and Vibration), seeks to ensure that noise and vibration is controlled and managed. In particular the policy aims to minimise the impact on local amenity.

11.59 A Noise and Vibration Report has been prepared by KP Acoustics Limited and assesses the development in relation to the existing noise environment. The report finds that the requirements of Policy DP28 can be met without further need to mitigation, but a general specification is provided for the acoustic performance of the expected thermally double glazed window systems.

11.60 The Construction Management Plan, which accompanies this application, outlines how noise and vibration arising out of construction activity would be minimised through best working practices and through site working hours.

- 11.61 In the longer term the impacts of the proposed development on neighbouring amenity, in terms of noise, is likely to improve given the proposed use and layout of the scheme. Therefore, the proposed scheme is also considered to comply with Development Management Plan Policy DP2.

## **Conclusions**

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- 11.62 The assessment of relevant environmental considerations, has been carried out in accordance with the requirements of the NPPF and other relevant technical and environmental standards at regional and local levels. The assessments have confirmed that the scheme satisfies the relevant considerations, and appropriate mitigation measures where required.

## **Construction Management Plan (CMP)**

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- 11.63 Development Management Plan Policy DP26 (Managing the Impact of Development on Occupiers and Neighbours) requires that development should avoid harmful effects on the amenity of existing and future occupiers, and to nearby properties. In terms of demolition this means minimising the impact of noise, vibration, fumes and dust on neighbouring residents and local business, all aspects of which are considered in full by the Construction Management Plan (CMP) which accompanies this application.
- 11.64 The demolition and construction works would undeniably have an impact on local residents and occupiers. However, careful consideration has been given at an early stage to ensure that this would be minimised. The principal contractor is yet to be appointed but they will take part in the Considerate Contractors scheme and have prepared a Construction Management Plan has been prepared by Knight Build and explains how the impact of noise, dust, vibration, fumes and general distance would be managed, in accordance with Development Management Plan Policy DP26 (Managing the Impact of Development on Occupiers and Neighbours).
- 11.65 There are clear, longer term benefits for neighbouring occupiers and residents, associated with the demolition of this building and the site's redevelopment, namely:
- 11.66 Introducing a new use, in an area of change which is more compatible with a predominantly residential area;
- 11.67 Improving the outlook and appearance of the local area; and
- 11.68 Introducing new public realm and commercial activity, helping to remove the site safety and security risks which the site is currently at risk from.
- 11.69 As required by Development Management Plan Policy DP24, the building's demolition and the resulting development would have due regard, and respond to, neighbouring amenity.

- 11.70 The CMP has been prepared by Knight Build Limited and is submitted in draft as it is anticipated that the final details would be agreed with the Council via an appropriately worded condition.
- 11.71 The principle access point to the site is from Blackburn Road. The entrance on Blackburn Road is gated, beyond which there is a driveway that is currently used as parking. There is a pedestrian access point to the site from Billy Fury Way. It is anticipated that construction works will take a total of 72 weeks.
- 11.72 The aim of this CMP is to ensure all project activities comply with applicable statutory United Kingdom and European legislation, and London Borough of Camden and TFL requirements, as well as taking nearby businesses and residential premises into consideration.
- 11.73 The environmental effects of the construction works, including noise, vibration and dust, would be managed and kept to a minimum.
- 11.74 The CMP proposes the following mitigation measures including limited hours of construction and a conveyor belt to remove debris.
- 11.75 Equipment will be stored on site and the use of which will be controlled by the Site Foreman (or equivalent). The appointed contractor will use pressure washers and brooms to carry out cleaning to the pavement and roads as necessary.
- 11.76 The reports confirm that the proposed development would not adversely affect the integrity of either the application property or neighbouring properties as required by Policy DP 26.



## 12. PLANNING OBLIGATIONS AND CIL

12.1 This section outlines the likely Mayoral Community Infrastructure Levy contributions and S106 obligations.

12.2 Regulation 122 of the Community Infrastructure Levy (Amendment) Regulations requires that:

*(1) This regulation applies where a relevant determination is made which results in planning permission being granted for development.*

*(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –*

*a) necessary to make the development acceptable in planning terms;*

*b) directly related to the development; and*

*c) fairly and reasonably related in scale and kind to the development.*

12.3 This applies to both to the implementation of CIL and S106 agreements.

### **Community Infrastructure Levy**

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12.4 Part 11 of the Planning Act 2008 provides for the imposition of the Community Infrastructure Levy (CIL), and the Regulations referred to above implement the detail of CIL and provide the basis for calculating the chargeable development.

12.5 Both the Mayor of London and LBC, have powers to charge a Community Infrastructure Levy (CIL). The Mayoral levy came into force on 1 April 2012. The LBC falls within Zone 1 of the Mayoral CIL Charging Schedule, where a levy of £50 per sq m for additional floorspace applies.

12.6 The LBC adopted their charging schedule on 1 April 2015. The site falls within Zone B of this charging schedule which charges £250 per sq m for residential floorspace and £25 per sq m for office space.

12.7 The requisite CIL form accompanies this application.

12.8 At the point of planning permission being granted, it is likely that part of the building would have been in lawful use for six continuous months within the last three years. As such the existing floorspace can be discounted from the CIL contribution.

## Section 106

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- 12.9 The applicant would be willing to enter into a s106 agreement as part of a planning permission for this site. Draft heads of terms are suggested and would be the subject of further discussion once the Council has had the opportunity to fully appraise the planning application and would be subject to scheme viability.
- 12.10 The Council's S106 Planning Obligations SPD sets out a number of matters for which financial contributions might be required in relation to new development, and includes the associated formula for calculating the financial contributions.

### Camden's Section 106 planning obligations

- 12.11 The proposed non-financial Heads of Terms are:
- Car free;
  - Construction and/or Demolition Management Plan;
  - Highway and Streetworks costs; and
  - Level plans and highway interface.
- 12.12 The proposed financial Heads of Terms are:
- Sustainability - £39,300
  - Employment and Training – £7,287.50
  - Open Space - £11,736
- 12.13 The total Section 106 costs would be £46,599.24 (not including a monitoring fee of £1,000 per HoT).

## 13. SUMMARY AND CONCLUSIONS

- 13.1 This application seeks to invest and renew the underutilised site at 11 Blackburn Road, in order to maximise its potential whilst respecting identified constraints and in line with the Core Strategy aspirations for the Hampstead Interchange area.
- 13.2 The scheme would deliver x 9 2-bed homes that are identified as being in high demand within the borough, thus providing a small but much need contribution to the housing supply of LBC.
- 13.3 The scheme would re-provide high quality flexible employment accommodation on site which would be at a standard that provides for the needs of SMEs looking for this type of accommodation.
- 13.4 The artist studios that are currently located on site have been offered the flexible employment accommodation so that they can remain on site.
- 13.5 In accordance with Section 38 of the Planning and Compulsory Purchase Act, the application proposals comply with the DP including relevant London Plan and LBC Core Strategy and Development Management policies.

## **A1. FULL LIST OF DOCUMENTATION**

- A1.1 Site Location Plan
- A1.2 Existing Plans
- A1.3 Proposed Plans
- A1.4 Noise & Vibration Report
- A1.5 Air Quality Assessment
- A1.6 Design & Access Statement
- A1.7 Sustainability Statement
- A1.8 Energy Statement
- A1.9 Geotechnical Assessment
- A1.10 Planning Statement
- A1.11 Transport Statement
- A1.12 CIL Additional Information Form

## **A2. LETTER FROM LDG**

Ref: DC/SC

8<sup>th</sup> May 2015

Rebecca Dewey  
Iceni Projects  
Flitcroft House  
114-116 Charing Cross Road  
London  
WC2H 0JR



By Email: [rdewey@iceniprojects.com](mailto:rdewey@iceniprojects.com)

Dear Rebecca,

**Re: 11 Blackburn Road, London, NW6 1RZ**

It was a pleasure to meet you last week

Thank you for very much for organising the inspection of the above and for the opportunity to evaluate the premises. I have set out my thoughts and recommendations below:

Despite the current strength of the commercial B1 office market, the premises in their existing condition and format are simply not lettable.

In order to bring the premises into marketable order the site/buildings both externally and internally would require significant capital investment to bring it up to modern standards. The approach to the units have compromised access arrangements, the demised space has limited light levels and damp is highly evident. I would also assume that given the condition and poor quality climate control, the building's energy performance also falls below today's standards set by the Building Regulations and as sought by planning policy.

Potential tenants in the market place require a certain level of amenities including kitchens, cycle storage, bin/recycling facilities, showers, data cabling and a form of cooling, none of which are currently available.

Although we have not undertaken a formal survey the structural form and condition of the building is highly dilapidated and in need of substantive refurbishment works in order for it to be habitable.

If you were minded to refurbish the buildings with a view to obtaining new B1 office tenants, I would naturally advise you as to the exact specification required for the market.



Directors: Daniel Castle Laurence Glynn Clare Moll

t: 020 7580 1010  
f: 020 7290 0595

39 Foley Street, London W1W 7TP  
e: [info@ldg.co.uk](mailto:info@ldg.co.uk) w: [ldg.co.uk](http://ldg.co.uk)



Please do not hesitate to contact me should you wish to discuss any of the above in further detail.

Assuring you of my continued attention at all times.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "D Castle", is positioned below the typed name.

DANIEL CASTLE  
Partner

LDG COMMERCIAL  
dd: 020 7290 0590  
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### **A3. LETTER FROM OCCUPIERS**



Planning Department  
Camden Council  
5 Pancras Square  
London  
N1C4AG

Prof. Phillip King  
26, Savernake Road  
London NW32JP

23d May 2015

Dear Sirs,

My name is Phillip King. I am an active 81 years old sculptor and spend most of my working week at my workshop at 11, Blackburn Road, West Hampstead NW61RZ. I am very much a hands on sculptor and work in various materials that require careful finishing and I have developed various skills in my work for the last 60 years and I have lived off my work the last 50 years. I employ a few assistant on an irregular basis but I have 2 regular ones.

I have been recently approached by the owners who would like to refurbish the older warehouse that I partly occupy and are offering to rehouse me in the same ground floor with my neighbour the sculptor Zadok Ben David. I would look forward to a modernised space with decent heating which is not the case at the moment.

This sounds like a good offer and would like to support the proposed scheme.

Yours faithfully,

Phillip King

The Development Control Manager  
Planning Department  
London Borough of Camden  
5 Pancras Square  
London  
N1C 4AG

5 May 2015

Dear Sir/Madam

**11 BLACKBURN ROAD, HAMPSTEAD, LONDON**

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I am a tenant of 11 Blackburn Road. I am an artist and my company is called Zadok Studio Ltd, my sculptures are created in this building, in which I have my studio.

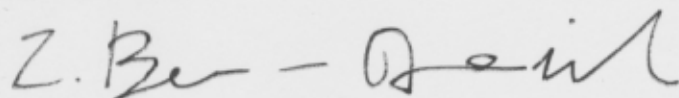
I currently occupy the modern warehouse I have been at the site for 10 years.

The buildings are currently in a poor state of repair: leaking ceilings, disorganized distribution of electricity. I understand from the owners that they propose to redevelop the site, re-providing new artist studio space (with excellent new facilities) in the ground floor of the Victorian warehouse.

I support these proposals for redevelopment and I am pleased that the owner has offered me the opportunity to occupy one of the new units. This will give me an opportunity to retain and develop my business in Camden.

Yours faithfully,

Zadok Ben-David

A handwritten signature in black ink, appearing to read "Z. Ben - David". The signature is written in a cursive, somewhat stylized script.

## **A4. CALCULATION OF AFFORDABLE HOUSING**

To: **Welbeck Investment Management Limited**  
From: **Iceni Projects Limited**  
Date: **29 May 2015**  
Title: **S106 and CIL liability – 11 Blackburn Road, London**

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#### **a. Introduction**

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This note advises Welbeck Investments Management Ltd on the likely Community Infrastructure Levy (CIL) and s106 obligations financial costs.

This note is drafted assuming that the application will be determined after the formal adoption of Camden's CIL charging schedule, so the scheme will be potentially liable for Mayoral and Camden CIL.

This does not cover all obligations, or site specific contributions which are usually subject to negotiation with the Council during the course of an application.

#### **b. The Proposed Development**

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The scheme includes the following principal land use components:

- 9 dwellings - (9 x 2 bed) - 1,150 sq m GIA in total
- B1 Floorspace - 134 sq m GIA

The accommodation schedule this note is based on is dated 03.03.2015.

#### **c. Overall Summary**

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It is possible when calculating CIL to discount existing floorspace if it has been in its **lawful use for six continuous months in the last three years**.

If this test can be proved then the financial contributions would be:

- TOTAL SECTION 106 = £454,763.50
- Total CIL (MAYOR) = £9,335.00 (approx. not indexed)
- TOTAL CIL (CAMDEN) = £46,675 (approx. not indexed)

**TOTAL = £510,773.50**

If this test cannot be proved then the financial contributions would total:

- TOTAL SECTION 106 = £454,763.50
- TOTAL CIL (MAYOR) = £64,200 (approx. not indexed)
- TOTAL CIL (CAMDEN) = £290,850 (approx. not indexed)

**TOTAL = £809,813.50**

#### **d. Community Infrastructure Levy (CIL)**

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##### **Existing Buildings Have Been In Lawful Use**

It was confirmed by the client at a meeting on 2 March 2015, that the buildings have been in their lawful use for a continuous period of six months in the last three years.

This position has to be evidenced. The evidence base can include documents such as, business rate records from the Valuation Office Agency (VOA), sworn statements and contracts between the owner of the building and the lessee.

The uplift in floor space would be residential (Class C3) only.

##### **Mayor CIL**

The London Mayor CIL is charged at £50 per sq m of additional floor space.

- Residential (Class C3) 186.7 sq m x £50 = £9,335

Total Mayor CIL = £9,335 (approx. not indexed)

##### **London Borough of Camden CIL**

The London Borough of Camden CIL splits the borough into three separate charging zones.

The site is located within Zone B, which is charged at £250 per sq m of additional residential floorspace on sites that are above 1000 sq m and £25 per sq m for additional floorspace of other commercial uses.

- Residential (Class C3) 186.7 sq m x £250 = £46,675

Total London Borough of Camden CIL = £46,675 (approx. not indexed)

**TOTAL CIL = £56,010 (approx. not indexed)**

##### **Existing Buildings Have Not Been In Lawful Use**

If it cannot be evidenced that the buildings have been in their lawful use for a continuous period of six months in the last 3 years, then the existing floorspace will not be discounted, resulting in the entire proposed floorspace being CIL liable.

##### **Mayor CIL**

The London Mayor CIL is charged at £50 per sq m of additional floor space.

- Residential (Class C3) 1404.9 sq m x £50 = £70,245
- Flexible Employment Floorspace 208.8 sq m x £50 = £10,440

Total Mayor CIL = £80,685 (approx. not indexed)

### **London Borough of Camden CIL**

The London Borough of Camden CIL splits the borough into three separate charging zones.

The site is located within Zone B, which is charged at £250 per sq m of additional residential floorspace on sites that are above 1000 sq m and £25 per sq m for additional floorspace of other commercial uses.

- Residential (Class C3) 1404.9 sq m x £250 = £351,225
- B1 Floorspace 208.8 sq m x £25 = £5,220

Total London Borough of Camden CIL = £356,445 (approx. not indexed)

**TOTAL CIL = £437,130 (approx. not indexed)**

### **e. Camden's Section 106 planning obligations**

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When a charging authority introduces a community infrastructure levy (and nationally from April 2015), Regulation 123 will limit financial contributions that can be obtained through planning obligations.

Financial contributions obtained through planning obligations will only be able to be pooled from up to five development projects.

### **Affordable Housing**

Policy DP3 of the Camden Development Management Policies Document requires that sites of 10 or more units or 1000 sq m or more in size must provide affordable housing on site. In exceptional circumstances, the Council will accept a payment in lieu. For mixed use developments, Camden apply a sliding scale to work out how much affordable housing contribution is required.

The sliding scale is a simple straight-line scale, where every increase of 1 home in site capacity should provide an additional 1% in affordable housing floorspace. Sites with capacity for 10 additional homes should normally provide 10% affordable housing floorspace.

When the Council assess capacity, they look at the number additional homes proposed and the additional built floorspace (GEA). In terms of floorspace, 1,000 sq m (GEA) is considered to have capacity for 10 dwellings. Each additional 100 sq m (GEA) added to the development is considered to create capacity for an additional dwelling. Floorspace is rounded to the nearest 100sq m.

For a primarily residential scheme with a non-residential element of less than 1,000 sq m gross, the level of payment will be guided by policy DP3 and the figure of £2,650 per sq m of on-site target for affordable housing.

The calculation below follows the set formula used by the London Borough of Camden to work out Affordable Housing payment in lieu.

- Site Capacity = 12 homes
- Percentage target for on-site affordable housing = 12%
- Floorspace target for on-site affordable housing = 1246.4 x 12% = 149.6 sq m
- Payment-in-lieu of affordable housing = 149.6 sq m x £2,650

**= £396,440**

## Community Facilities

Negotiated on a case by case basis.

## Sustainability

The London Borough of Camden expect new developments to connect to a decentralised energy network or have a secure agreement to do so within 3 years. The Council also expect new development to include combined heat and power.

If the proposed development does not meet the above criteria, then the following financial contributions will apply.

- Developments of 3 to 4 floors = £4,100.00 per residential unit.
- Developments of 2 to 3 floors = £5,300 per residential unit

$(7 \times £4,100) = £28,700$

$(2 \times £5,300) = £10,600$

**= £39,300**

## Employment – retraining local people

Gross employment floorspace lost / 19 sq m (space requirement per full time employee) = full time jobs created.

$(\text{Full time jobs created} \times 23\% (\% \text{ of Camden residents in the workforce}) \times £2,750$

$(219.20 \text{ sq m}) / 19 = 11.54$

$(11.54 \times 23\%) = 2.65 \times £2,750$

**= £7,287.50**

## Transport

Case by case basis

## Open space

### Residential

£1,304 per 2 bed unit (9 units)

**= £11,736**

## f. Note:

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The following items are not included in the draft calculation shown above:

- Indexation on CIL.
- Site specific financial contributions, i.e. community safety, public art, public open space, employment and education, which cannot be anticipated at this stage.

- The cost of providing non-financial s106 obligations.
- S.278 highway works.
- Legal/monitoring costs associated with the legal costs seven Heads of Terms (HoTs) the legal costs are approximate £1,000 per HoT, not including the on-going one-off monitoring costs of £515 per HoT. These costs have not been included in the calculation.

Nor does it include any costs associated with the non-financial obligations which may be requested, including:

- Energy measures including on-site renewables
- Sustainable Design & Constructions
- Decentralised Energy Networks
- Car free
- Construction and/or Demolition Management Plan
- Construction Waste Management Plan
- Soft Landscaping and Ecology
- Hard Landscaping, Works to Streets, Highways and Public Realm
- Agreement of Highway Works
- Highway and Streetworks costs



