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| Address: | 248 Kilburn High Road London NW6 2BS | | 5 |
| Application Number: | 2014/2662/P | Officer: Jenna Litherland | |
| Ward: | Kilburn | | |
| Date Received: | 14/04/2014 | | |
| Proposal: Erection of 2 buildings, one part 4 and part 5 storey and the other part 2, part 3 and part 5 storey, to provide 14 self-contained flats (Class C3) (4x1 bed, 7x2 bed and 3x3 bed) including vehicular access via an undercroft in the building, roof terraces and landscaping. | | | |
| Drawing Numbers: P1112_P_100; P1112_P_101 RevA; P1112_P_102 RevA; P1112_P_110; P1112_P_111; P1112_P_112; P1112_P_113; P1112_P_114; P1112_P_115; P1112_P_116; P1112_P_200 RevC; P1112_P_201 RevC; P1112_P_202 RevC; P1112_P_203 RevC; P1112_P_204 RevC; P1112_P_205 RevA; P1112_P_207 RevA; P1112_P_210 RevC; P1112_P_300 RevD; P1112_P_301 RevC; P1112_P_302 RevC; P1112_P_303 RevB; P1112_P_304 RevA; P1112_P_305 RevA; P1112_P_306 RevC; P1112_P_307 RevA; P1112_P_310; P1112_P_311 RevA; P1112_P_320 RevA; P1112_P_321 RevA; P1112_P_500 RevA; Addendum to Design and Access Statement by Insideout Architecture dated April 2014; Construction Management Plan dated 19 November 2013; Energy Efficiency Strategy by Brooks Devlin dated 19 September 2013; Lifetime Homes Demonstration Plan (P1112_P_207 RevA) dated May 2013; Planning Statement by Planning and Development Associates dated November 2013; Addendum to Planning Statement by Planning and Development Associates dated April 2014; Skylight and Sunlight Impact Assessment by Brooks Devlin dated 19 October 2013; ADF Results dated 15 September 2014; Code for Sustainable Homes Pre- Assessment by Brooks Devlin dated 30 September 2013; Supplementary Transport Statement by Planning and Development Associates dated December 2013; S106/CIL Contribution and Affordable Housing Statement by Framberg, Version 4, dated 21 July 2014; Independent Review of Assessment of Viability – Draft by BPS Chartered Surveyors dated 25 June 2014; Addendum Report by BPS Chartered Surveyors dated 23 July 2014. | | | |
| RECOMMENDATION SUMMARY: Grant conditional permission subject to a S106 legal agreement. | | | |
| Applicant: | | Agent: | |
| Studio 246 Media Ltd C/O Agent United Kingdom | | Planning & Development Associates 120 Pall Mall London SW1Y 5EA | |

ANALYSIS INFORMATION

Land Use Details:

| | Use Class | Use Description | Floorspace |
|----------|--------------------------|-----------------|-----------------|
| Existing | <i>Vacant site</i> | | 611 sqm |
| Proposed | <i>C3 Dwelling House</i> | | 1,360 sqm (GEA) |

Residential Use Details:

| | Residential Type | No. of Habitable Rooms per Unit | | | | | | | | |
|----------|------------------------|---------------------------------|---|---|---|---|---|---|---|-------|
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | Total |
| Existing | <i>Flat/Maisonette</i> | | | | | | | | | |
| Proposed | <i>Flat/Maisonette</i> | 4 | 7 | 3 | | | | | | 14 |

Parking Details:

| | Parking Spaces (General) | Parking Spaces (Disabled) |
|----------|--------------------------|---------------------------|
| Existing | 0 | 0 |
| Proposed | 0 | 0 |

OFFICERS' REPORT

Reason for Referral to Committee: The application is reported to Development Control Committee as it is a Major application involving the creation of more than 10 residential units [Clause 3(i)]; and requires the making of a S106 obligation for matters which the Director of Culture and Environment does not have delegated authority [Clause 3(vi)].

1. SITE

- 1.1 The site is located on the north-east side of Kilburn High Road. The site is currently vacant and comprises no built structures, however previously No. 248 comprised a single-storey rendered building fronting onto Kilburn High Road; to the rear was No. 246A comprised 2-storey brick building which abuts No. 246 on its north-east and south-east (part) elevations. It is understood that the last use was a recording studio (Class B1) with the former use of the site being as a motor factory and a timber yard.
- 1.2 No. 246, which abuts the site to the north-east and in part to the south-east, is a part 2 storey, part 3 storey property in use as a live/work unit. Beyond this building to the north-east is an area of public open space known as Kilburn Grange Park.
- 1.3 The south-eastern part of the site is a gated vehicular entrance which provides access to No. 246. It is understood that Nos. 248 has a right-of-way over the adjoining driveway, but that it forms part of the property known as No. 246. Beyond this is No. 244, which is a 4-storey property with retail accommodation at ground floor level and residential above.
- 1.4 North-west of the site are Nos. 250-252 Kilburn High Road which comprise ground, and first to third floors with retail at ground floor level and residential accommodation above. Beyond this is No. 254 which is in use as a marble masons and comprises a number of low rise workshop building and two storey building to the rear of the site. The site is accessed via a vehicular entrance off Kilburn High Road adjacent to Nos. 252 and 256. There is a current application at No. 254 for redevelopment of the site to provide commercial and residential development within a 6 storey building.
- 1.5 The application site is not located within a Conservation Area and the existing building is not listed. The site is located within the Town Centre of Kilburn. It is located opposite the boundary with the London Borough of Brent.

2. THE PROPOSAL

Original

- 2.1 Planning permission is sought for the erection of 2 buildings providing 14 self-contained flats, building A: fronting 248 Kilburn High Road and building B: to rear of 250-252 Kilburn High Road. The proposal includes 18 bicycle spaces and integrated refuse storage, and external landscaping.
- 2.2 Building A is a four storey building with a setback 'attic' floor with a roof terrace fronting Kilburn High Road. The building would have a brick finish at ground to fourth floor. The 'attic' floor would be clad in zinc. The vehicular access to No. 246 is maintained through an undercroft in the building with metal gates to the front. Building A comprises four x 2 bed residential units. Access to the units in building A would be through the main entrance

gates on Kilburn High Road and through a door to the stairwell in the undercroft of building A.

- 2.3 Building B is part 2, part 3 and part 5 storey 'L' shaped building stepping up in height towards the rear of the site. The building would have a brick finish. Building B comprises 10 residential units (4x1 bed, 3x2 bed and 3x3 bed). Building B would be accessed through the main entrance gates on Kilburn High Road through an undercroft within building A to the courtyard to the rear. Two of the units at ground floor level would have their own separate entrances onto the courtyard. The other units would be accessed through the community entrance which has lift and stair access.
- 2.4 9 of the 14 units have private balconies or outdoor amenity space at ground floor level. There would also be a communal roof terrace in building B at third floor level. The courtyard would be hard landscaped with permeable paving and planted borders adjacent to the building elevations. Cycle parking and bin storage for all units is located within building A at ground floor level and would be accessed from within the undercroft.

Revisions

- 2.5 The following amendments have been made during the course of the application:
- The terraces have been removed and the windows increased in size for the units in the rear of building B (Units C2-C4) in order to improve internal daylight levels. Further details of daylight have also been submitted to ensure the proposed units would receive adequate daylight level in light of development at the adjoining site No. 254 Kilburn High Road.
 - The proposal has been amended to include provision of 2 intermediate affordable units on site (Units A1 and A2) rather than a financial contribution.
 - The detailed design of the front elevation at ground floor level has been revised to increase visual interest.
 - The disabled parking bay in the forecourt has been removed from the proposal following advice from officers that its location would impact on pedestrian and cyclist safety owing to its position adjacent to the cycle store and residential entrances.

3. RELEVANT HISTORY

3.1 Relevant history at the application site:

2013/7487/P: An application was submitted for erection of 2 buildings providing 14 self-contained flats, building A: fronting 248 Kilburn High Road and building B: rear of 250-252 Kilburn High Road including 1x disabled parking space, 18 bicycle spaces and integrated refuse storage. Building A: Erection of a part 4, part 5 storey building to provide 4 flats (Class C3) (4x2 bed) including roof terrace fronting Kilburn High Road elevation and landscaping. Building B: Erection of a part 2, part 3, part 5 storey building to provide 10 flats (Class C3) (4x1 bed, 3x2 bed and 3x3 bed) (access via undercroft within building A) including roof terraces and landscaping. **Application withdrawn to enable time for affordable housing discussion.**

2009/5625/P (246A – 248 Kilburn High Road): An application was submitted on 24/11/2009 for an amendment to planning permission 2007/3467/P dated 12/10/2007 (Erection of building fronting Kilburn High Road comprising ground floor retail unit (Class A1) and 4 upper floors to provide 4 x 2-bedroom residential units, plus erection of a building to the rear comprising basement and ground floor (Class B1) business use and 3 upper floors to provide 3 x 3-bedroom flats and 3 x 2-bedroom flats with balconies and terraces) to remove

basement and other internal alterations at ground floor level with associated revisions to the south east elevation. **Application was granted subject to a Section 106 Legal Agreement on 17/02/2010. The permission was not implemented.**

2007/3467/P (246A – 248 Kilburn High Road): An application was submitted on 11/07/2007 for the erection of building fronting Kilburn High Road comprising ground floor retail unit (Class A1) and 4 upper floors to provide 4 x 2-bedroom residential units, plus erection of a building to the rear comprising basement and ground floor (Class B1) business use and 3 upper floors to provide 3 x 3-bedroom flats and 3 x 2-bedroom flats with balconies and terraces. **The application was Granted subject to a Section 106 Legal Agreement on 12/10/2007. The permission was not implemented.**

2007/2027/P (246A – 248 Kilburn High Road): An application was submitted on 19/04/07 for demolition of existing buildings (Class B1) and erection of building fronting Kilburn High Road comprising ground and 4 upper floors to provide retail unit (Class A1) on ground floor and 4 residential units on the upper floors and building to rear of site comprising basement, ground and 3 upper floors to provide offices (Class B1) at ground floor and 8 self-contained flats on the upper floors. **The application was withdrawn on 18/07/07 following officer advice that the scheme conflicted with the permission granted in respect of No. 246 Kilburn High Road (2005/1186/P).**

2006/2674/P (246A – 248 Kilburn High Road): An application was submitted on 12/10/06 for demolition of existing buildings (Class B1) and erection of a 4-storey building with basement to provide retail unit (Class A1) on ground floor at No.248, business unit (Class B1) at ground and basement at No.246A, and 14 self-contained flats on first, second and third floors of both Nos.246A and 248. The application was withdrawn on 16/01/07. **The application was withdrawn following advice from officers that the proposal was unacceptable in terms of mix of units, design, sustainability and that inadequate information had been submitted in relation to the amenity impact of the development, refuse storage and collection, cycle parking and lifetime homes standards.**

2004/4552/P (246a-248 Kilburn High Road): An application was granted on 31/03/05 for demolition of existing building (Class B1) and erection of a part 4/part 3 storey new building comprising of a gymnasium (Class D2) with ancillary café. **This application was granted on 22/08/2005.**

3.2 The following planning history at adjoining sites is also relevant:

254 Kilburn High Road

2014/3244/P: An application has been submitted for redevelopment of the site (following demolition of existing buildings) to provide a mixed use development, comprising the erection of six storey building (with set back top floor) to provide 989 sqm of commercial space (Classes B1 and B8) and 62 dwellings plus cycle parking, 5x disabled car parking bays, refuse/recycling facilities and access together with landscaping including outdoor amenity space. **This application is currently under consideration.**

246 Kilburn High Road

2009/5625/P: An application was submitted for amendments to planning permission 2007/3467/P dated 12/10/2007 (Erection of building fronting Kilburn High Road comprising ground floor retail unit (Class A1) and 4 upper floors to provide 4 x 2-bedroom residential units, plus erection of a building to the rear comprising basement and ground floor (Class

B1) business use and 3 upper floors to provide 3 x 3-bedroom flats and 3 x 2-bedroom flats with balconies and terraces) to remove basement and other internal alterations at ground floor level with associated revisions to the south east elevation. **Application granted on 17/02/2010 subject to a S106 agreement 11/05/2005.**

2005/1186/P: An application was submitted for erection of a second floor roof extension and a first floor extension at front part of building, to create additional habitable floorspace for the existing two storey live/work unit. **Application granted on 11/05/2005 subject to a S106 agreement 11/05/2005.**

244 Kilburn High Road

2011/0907/P: An application was submitted for installation of glazed folding/sliding shopfront, high level windows on side elevation at ground floor level (adjacent No. 246), new fire escape door with ventilation extract grille above on side elevation (adjacent to No. 242) all in connection with change of use of ground floor retail (Class A1) to offices (Class B1). **This application was granted on 10/12/2012. This application has been implemented and the high level windows face the application site.**

2003/3333/P: The demolition of the existing first floor, alterations to the existing shop fronts and the erection of 3x new floors on the Kilburn High Road frontage and 2x new floors at the rear to accommodate 3 x 3 bed residential units and 4 x 1 bedroom flats above the existing ground floor retail premises. **Granted subject to a S106 agreement 27/04/2005**

4. CONSULTATIONS

Statutory Consultees

- 4.1 **Thames Water:** No Objection. Request that the applicant: incorporates a non-return valve or other suitable device to avoid the risk of backflow should the sewerage network surcharge to ground level during storm conditions; provides adequate surface water drainage; and provides future residents adequate minimum water pressure.
- 4.2 **Environment Agency:** No objection.
- 4.3 **London Borough of Brent:** No response to date.
- 4.4 **Metropolitan Police (Designing out Crime Officer):** No response to date.

Adjoining Occupiers

| Original | |
|---|----|
| <i>Number of letters sent</i> | 54 |
| <i>Total number of responses received</i> | 2 |
| <i>Number of electronic responses</i> | 0 |
| <i>Number in support</i> | 0 |
| <i>Number of objections</i> | 2 |

- 4.4 Letters were sent to 54 adjoining occupiers. A site notice was displayed from 25/06/2014 until 16/07/2014. A press notice was placed in the Ham and High on 26/06/2014 (expired 17/07/2014). 2 letter of objection have been received both on behalf of the owners of No. 254 Kilburn High Road.

4.5 Objections are on the following grounds:

- The proposed development relies on both light and views across the adjoining site No. 254 Kilburn High Road and would therefore prejudice development at the adjoining site. The scheme is contrary to BRE guidelines;
- The scheme includes no onsite affordable housing;
- The bulk and massing of the building would infringe of daylight to the site at No. 254;
- The proposed terrace would overlook the rear facing habitable bedrooms at No. 252 and 250 Kilburn High Road and the windows would overlook the terrace at No. 246 Kilburn High Road;
- The building fronting Kilburn High Road is out of character and scale with the Victoria terrace;
- The elevations lack interest and design quality;
- There is insufficient refuse and cycle storage at the site.

5. **POLICIES**

5.1 **National Planning Policy Framework (2012)**

5.2 **The London Plan (2011) (as amended 2013)**

5.3 **LDF Core Strategy and Development Policies 2010**

LDF Core Strategy

CS1 Distribution of growth

CS3 Other highly assessable areas

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS7 Promoting Camden's centres and shops

CS8 Promoting a successful and inclusive Camden economy

CS10 Supporting community facilities and services

CS11 Promoting Sustainable and efficient travel

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high Quality Places and Conserving Our Heritage

CS15 Protecting and Improving our Parks and Open Spaces & encouraging Biodiversity

CS16 Improving Camden's health and well-being

CS17 Making Camden a safer place

CS18 Dealing with waste and encouraging recycling

CS19 Delivering and monitoring the Core Strategy

LDF Development Policies

DP2 Making full use of Camden's capacity for housing

DP3 Contributions to the supply of affordable housing

DP5 Homes of different sizes

DP6 Lifetimes Homes and Wheelchair Housing

DP13 Employment sites and premises

DP15 Community and Leisure Uses

DP16 The transport implications of development

DP17 Walking, Cycling and public transport

DP18 Parking standards and limiting the availability of car parking

DP19 Managing the impact of parking

DP20 Movement of Goods and Materials

DP21 Development Connecting to the Highway Network

DP22 Promoting Sustainable Design and Construction
DP23 Water
DP24 Securing High Quality Design
DP25 Conserving Camden's Heritage
DP26 Managing the impact of development on occupiers and neighbours
DP28 Noise and Vibration
DP29 Improving access
DP31 Provision of, and improvements to, open space and outdoor sport and recreation facilities
DP32 Air quality and Camden's Clear Zone

5.4 **Supplementary Planning Policies**

Updated Camden Planning Guidance 2011 (updated 2013)

CPG1 – Design

CGP2 – Housing

CPG3 – Sustainability

CPG6 - Amenity

CPG7 – Transport

CPG8 – Planning Obligations

6. **ASSESSMENT**

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

- Land Use;
- Mix and quality of proposed housing;
- Affordable housing;
- Design;
- Amenity;
- Transport;
- Sustainability;
- Waste;
- Planning obligations;
- Trees and biodiversity;
- Other matters.

6.2 **Land use**

6.2.1 The existing site is vacant and clear of buildings, however the previous lawful use of the site was B1. Planning permission was granted in 2007 (refs: 2007/3467/P amended by 2007/3467/P) for erection of a building comprising 10 residential units and an A1 unit at ground floor, following demolition of the existing building. The B1 building was demolished however, works to erect the approved replacement building were not commenced. Therefore these permissions lapsed.

6.2.2 Whilst the previous lawful use of the site was B1 there is no active functioning B1 use at the site nor has there been for over 5 years. It is considered that given the principle of the loss of the B1 has already been established though previous applications at the site, coupled with the fact that there is not active B1 use nor has there been over the past 2 years the principle of the use of the site for residential, which is a priority land use in the borough, is considered acceptable and in accordance with DP2 and CS6.

6.3 Mix and quality of proposed housing

Mix

- 6.3.1 The application proposes a total of 14 units incorporating a mix of 4 x 1-beds, 7 x 2 bed, and 3 x 3-beds. Policy DP5 seeks the provision of at least 40% of market units to contain 2 bed homes, which are in very high demand. The proposed development would provide 50% 2 bed units, thereby complying with Policy DP5. There is also the provision of 3 x three bed units for which there is a medium demand for market housing. The proposal includes 2 x 2bed intermediate affordable units. The provision of smaller intermediate units is considered appropriate given the high land values in Camden which render larger intermediate properties unaffordable. As such the development as a whole would fulfil the requirements of DP5 and no objection is raised to the proposed mix of units.

Residential development standards

- 6.3.2 Development Plan policy DP26 requires residential developments to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes, amenity space and an internal living environment which affords acceptable levels of sunlight, daylight, privacy and outlook.
- 6.3.3 Residential development standards are outlined in Camden Planning Guidance (CPG2) which requires certain floorspace sizes to be incorporated into new residential development. The London Plan minimum space standards are higher than those set out in the Camden CPG. The following table sets out the proposed flat sizes against both sets of space standards:

| Proposed flat sizes | Camden CPG | London Plan standards |
|----------------------------------|-------------------|--------------------------------------|
| 1 beds - minimum 50sqm | 32sqm | 50sqm/1b 2person |
| 2 beds – minimum 61/70sqm | 48sqm | 70sqm/2b 4person 61sqm/2b 3person |
| 3 beds – minimum 90sqm | 61sqm | 86sqm/3b 5person |

- 6.3.4 As can be seen from the above table the proposed units exceed of the requirements set out in Camden Planning Guidance and the London Plan. 9 of the 14 flats benefit from private outdoor amenity space and there is a communal roof terrace.
- 6.3.5 Policy requires that development should provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms. With regard to daylight all habitable rooms should have access to natural daylight.
- 6.3.6 The units in building A would be accessed by stairs and an entrance within the undercroft. Units B1 and B2 would have their own separate entrances from the courtyard. The remaining units in building B would be accessed from the communal entrance to building B which has stairs and lift access. Ceiling heights are compliant with the standards and the units would be naturally ventilated. All units would be dual aspect and overall would have adequate internal light levels and outlook. This is explained in greater detail below.
- 6.3.7 Daylight and Sunlight – An independent daylight and sunlight assessment, based on the guidance and methods contained in the Building Research Establishment (BRE) report “Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice” (October 2011), accompanies the application. This guidance outlines the sequential tests including the Vertical Sky Component (VSC), the Average Daylight Factor (ADF) and the Annual Probable Sunlight Hours (APSH).

- 6.3.8 The application site adjoins No. 254 Kilburn High Road where there is a current application for redevelopment of the site to provide B1 commercial use at ground floor and 62 residential units at upper floors. The proposed building would be 5 storeys plus a setback roof storey and would abut the boundary with No. 248.
- 6.3.9 As part of the assessment of this current application is necessary to ensure that the current proposal would provide a good level of residential amenity for future occupiers without relying on light or outlook across the adjoining site to ensure it would not prejudice future development at the adjoining site. In order to ensure this it has been negotiated during the course of the application that the applicant modelled daylight taking into consideration the proposed scheme at No. 254 Kilburn High Road. This forms part of the revised daylight assessment dated 15 September 2014.
- 6.3.10 All units within building A including the two intermediate affordable units would have adequate internal daylight and sunlight levels, exceeding BRE guidelines. The daylight assessment confirms that the living room/kitchen area of Units B1 and B2 would have an ADF of 1.21 and 1.12. This is below the standards set out in the BRE guidelines which state that livingrooms should have an ADF of 1.5 and that kitchens should have an ADF of 2. The ADFs are low as a result of the layout and position of the buildings which is constrained by the surrounding development. However the bedrooms serving these units, would have good level of daylight exceeding the BRE guidelines being 2.24 and 2.60. As such, when these units are considered as a whole they would receive good levels of daylight.
- 6.3.11 The windows on the north-west elevation which serve bedrooms of the units in building B would have poorer daylight levels when taking into account the development proposed at No. 254 Kilburn High Road. Units C1-3 at ground the second floor level at the rear part of the site do not fully comply with the BRE guidelines for daylight without relying on light across the boundary of No. 254. The proposal has been amended during the course of the application to improve daylight to habitable rooms within these units by removing the inset terraces and increase the size of the windows. However, even with these changes Units C1 (ground floor), C2 (first floor) and C3 (third floor) have ADFs below BRE guidelines. The worst case is C1 where the livingroom/kitchen has an ADF of 1.26 for the livingroom and 0.71 and 0.89 for the bedrooms when considering development coming forward at the adjoining site. BRE guidance states that where ADF falls below 2% the rooms will look dull and electric lighting is likely to be turned on. As such, these 3 units are considered to be substandard in terms daylight levels. The other 11 units, including the two affordable units would be well lit.
- 6.3.12 Outlook - Outlook from the windows on the north-west elevation at ground floor level would be a brick wall at a distance of 1.9 metres. The windows serve two of the bedrooms of the 2x 1 bed flats (units B1&B2) and the two bedrooms of the 2 bed wheelchair adaptable unit (unit C1). The outlook from these windows is considered to be poor. However, the main living area of each of these units would have decent outlook. Outlook from the livingrooms of units B1 and B2 would be across the courtyard to the boundary wall at a distance of 8.4 metres. Outlook from the livingroom at unit C1 would be across the courtyard towards building A which is set at a distance of 20 metres. It is considered that on the whole the units would provide an acceptable level of amenity in terms of outlook, particularly given the constraints of the site. If the development at the adjoining site at No. 254 Kilburn High Road were approved the building would reduce outlook from the bedroom windows serving units C2, C3, and C4. However, as the main living areas of each of these units has decent outlook it is considered that on the whole the units would provide an acceptable level of amenity in terms of outlook.

- 6.3.13 Outdoor amenity space –9 of the 14 units would have access to private outdoor amenity space in the form of a roof terrace. A communal roof terrace is proposed at third floor level. As such, all units would have some outdoor amenity space. This is welcomed, particularly on such a constrained site. Privacy screens are proposed to prevent overlooking to the neighbouring properties, this is discussed further in the Amenity section of the report.
- 6.3.14 Lifetime Homes and wheelchair housing - Policy DP6 requires all new homes to comply with 'Lifetime Homes' criteria and states that 10% of homes developed should either meet wheelchair housing standards or be easily adaptable to meet them. The applicant has submitted a Lifetime Homes Assessment which indicates that all of the relevant criteria will be met. This assessment has been reviewed by the Council's access officer who agrees that relevant lifetime homes will be met. The applicants have also stated that 1x 2 bed flat has been identified as easily adaptable for wheelchair users. This will be the unit at ground floor level to the rear of the site in building B. The submitted plans indicate that there would be sufficient turning space within each of the rooms and a wheelchair charge point in the entrance hall. As such, the unit would be easily adapted to wheelchair use without need for significant internal alterations such as removing internal walls. The wheelchair accessible unit will be secured through the S106 agreement.
- 6.3.15 Refuse and recycling - There would be a refuse and recycling store for the residential units at ground floor in building A, accessed from within the undercroft. The bin store would have level access. An objection has been received on the grounds that there would be inadequate space in the bin store for refuse and recycling. The bin store has an internal measurement of 15sqm. This provides sufficient space for both waste and recycling.
- 6.3.16 It is considered that the proposed development would provide good quality residential accommodation which in the main complies with Council policies with the exception of the poor daylight levels in 3 of the units.

6.4 **Affordable Housing**

- 6.4.1 Policy DP3 expects all developments with a capacity to provide 10 units or more to make a contribution to affordable housing. DP3 introduces a sliding scale for developments between 10 units and 50 units. The 50% target operates on a sliding scale for housing developments, subject to the financial viability of the development, with a norm of 10% for 1,000 sqm (gross) of additional housing and 50% for 5,000 sqm (gross) of additional housing, considered to be sites with capacity of 10 dwellings and 50 dwellings respectively.
- 6.4.2 For the purpose of affordable housing the Gross External Area for the development has been calculated by multiplying the Gross Internal Area by 1.53. This is considered the fairest way to calculate GEA rather than using the actual GEA which is exceptionally high due to the thickness of the walls which are a requirement of achieving Passivhaus. As such for the purpose of calculating the required affordable housing contribution the total floor area figure is 1,360 sqm. As such, in accordance with policy DP3 a 14% contribution is required towards affordable housing. In line with the requirements of the policy, the provision of affordable housing is expected on site, but where this cannot be practically achieved the Council may accept off site affordable housing or exceptionally a payment in -lieu.
- 6.4.3 The original application was accompanied by a financial viability appraisal which suggested that it was not viable to provide any contribution towards affordable housing. However, the applicant advised they would be willing to agree to a deferred contribution should values rise.

- 6.4.4 BPS undertook an independent review of the appraisal which found that benchmark land value appeared to be substantially overstated which had the effect of suppressing overall viability. The main concerns were over lack of affordable housing contributions; no land financing costs; no exceptional development costs; building costs being inconsistent with the proposed scheme and with present day cost level; and other cost inputs including profit and fees being inconsistent with the proposed scheme. BPS created a revised AUV appraisal which bringing costs and values up to the present day levels and ensuring where appropriate that consistency is maintained with the proposed scheme's appraisal. With the revised AUV of £498,000 is adopted as the benchmark land value, the proposed scheme appraisal generates a substantial surplus which suggested that a full, policy compliant contribution could be viably provided.
- 6.4.5 Concern was also raised that the applicant had not considered provision of affordable units at the application as they considered on-site affordable housing provision to be unfeasible. It was asserted that securing RP interest could be difficult as they tend to prefer to acquire larger numbers of units partly because low numbers of units pose management problems including a lack of economies of scale. Further justification in this respect was requested. Following this advice the applicant contracted a number of RPs to inquire whether they would be interested in taking units at the site. The result being that following discussion with RPs the applicant is now proposing to provide 2 x 2 bed shared ownership properties within the scheme which would be taken on by Origin Housing. This would be units A1 and A2 which are situated in the building fronting Kilburn High Road. The units would share access with 2 other private market houses. The applicant has advised this would not lead to insurmountable management difficulties for the applicant and the RP.
- 6.4.6 The RP has confirmed that it has a preference for shared ownership units in this scheme and is not willing to make an offer for social rented units. The RP has advised that to purchase a shared ownership units they would likely offer in the region of 50% of the equivalent market price.
- 6.4.7 The applicant has prepared a revised appraisal which follows the advice from BPS and the offer made by the RP. The appraisal confirms that provisions of the two shared ownership units would be viable. BPS have reviewed that latest revision to the appraisal and are now confident that the build cost and sale value assumptions are realistic.
- 6.4.8 The two shared ownership units total 146.4 sqm (Net Sales Area), which is 14.3% of the total Net Sales Area. The total floor area (Gross External Area - GEA) is 1,360 sqm, thus the affordable housing requirement is 190.4 sqm (GEA). Based on a suitable uplift in the two shared ownership units' floor area to reach an equivalent GEA, it is apparent that the scheme provides a policy compliant level of affordable housing based on the Council's target of 14% by floor area (GEA). As such, as the proposal provides the full contribution on site a deferred contribution is not required.
- 6.4.9 It should be noted that the Council's target mix of 60% social rent, 40% shared ownership has not been met due to the impracticalities of provision of social rented units and lack of RP interest in this tenure for this particular scheme. Given the small scale of the development, and lack of interest from an RP this is acceptable and the proposed offer is considered to be the best option for the site as it will deliver affordable housing on site in accordance with DP3 and London Plan Policy 3.12. Provision of the on-site affordable units would be secured through the S106 legal agreement.

6.5 Design

- 6.5.1 Policies CS14 and DP24 seek to ensure all development is of the highest quality design and considers the character, setting, context and form of neighbouring buildings. It is necessary to consider whether the scheme would preserve or enhance the character and appearance of the area having particular regard for views from Kilburn High Road and Kilburn Grange Park.

Building A

- 6.5.2 Kilburn High Road is a Victorian high street where the buildings are predominantly brick. However Kilburn High Road has seen many adaptations and additions have been made over the years, which has given the area a richly varied character, providing a mix of historic and contemporary buildings.
- 6.5.3 There is a broad consistent street line or eaves datum in the context of the site, that being ground plus three storeys. However, parapet heights vary and some buildings have visible roofs.
- 6.5.4 The design of the proposed front building would be broadly consistent with the four storey main façade matching the 'shoulder' height of development in its immediate context with a setback upper floor relating to the roofs found on other buildings. The use of brick is consistent with the majority of buildings in the area. The proposed contemporary design is simple and, rational, relying on the fenestration to provide visual interest and depth to the elevations. The success of the development is considered to depend on the appropriate use of high quality materials, detailed design and finished appearance.

Building B

- 6.5.5 In terms of footprint and orientation the scheme is considered to be a welcomed response to the site allowing space within the 'courtyard' for decent quality amenity, given the constraints of the site, whilst allowing the historic use and function of the space to be appreciated.
- 6.5.6 The height respects the scale along Kilburn High Road and would not unduly impinge on views from the park which already has individually taller buildings rising above the predominant 3 or 4 storey development which surround it.
- 6.5.7 There is no issue with the architectural form of the central building. The quality and detail is continued through from building A to create a high quality cohesive piece of architecture.
- 6.5.8 The proposal does not include any plant on the roof this is welcomed and will ensure that long views of the site from the park are not interrupted by unsightly plant.
- 6.5.9 The use of high quality materials which relate to the site and its surroundings is encouraged and will be secured by condition.
- 6.5.10 Every indication suggests the proposal would be built to a high standard expected in the area. However, it will be necessary to condition the proposed materials of the scheme, to ensure they are high quality and respect the surrounding context.
- 6.5.11 For the reasons outlined above the development conforms with the Council's adopted design policies and guidance. The development optimises the land for high quality residential housing. The development provides an appropriate high quality response to the site which would not cause harm to its wholeness, appearance or setting, or enjoyment of the park or panoramic view from the park.

6.6 Amenity

- 6.6.1 Core Strategy policy CS5 and Development Policy DP26 seek to ensure that the existing residential amenities of neighbouring properties are protected, particularly with regard to visual privacy, outlook, daylight and sunlight, noise and air quality.

Privacy and Overlooking

- 6.6.2 The closest residential properties are located at No. 246 Kilburn High Road and at the upper floor levels of Nos. 244, 250, 252, and 256 Kilburn High Road. Consideration should also been given to impact on the proposed units at 254 Kilburn High Road, as proposed in application ref: 2014/3244/P. However, only limited weight can be given to impact on these units as they do not, at present have planning permission.
- 6.6.3 No. 246 adjoins the application to the rear. The only window at No. 246 which faces the application site is at first and second floor level. The windows on the northeast elevation Building A which serve bedrooms would face the windows at No. 246. There is a distance of 17 metres, between the windows. CPG6 – Amenity states that it is good practise to provide a minimum distance of 18 metres between habitable room windows to avoid overlooking. In this case the window at No. 246 serves a staircase with a games room beyond set further way from the windows. As such, it is not considered that view from the proposed windows to the existing property at No. 246 would result in overlooking that would impact on the privacy of the occupiers of No. 246.
- 6.6.4 No. 244 Kilburn High Road has residential units at upper floor level with windows on the staggered rear elevations. Given the distance from the windows at No. 244 and the application site and the fact that the windows are angled away from one another the proposal would not result in overlooking or loss of privacy to the occupiers of No. 244.
- 6.6.5 Nos. 250 and 252 which adjoin the application site fronting Kilburn High Road have residential units at upper floor levels with habitable room windows on the rear elevation. The proposed living room windows would be at a distance of 14.2 metres from the habitable room windows of No. 252. There are also roof terraces at second floor and third floor level which are at a distance of 11 metres and 15.5 metres. The drawings detail planters with a depth of 1 metre which would be planted with dense vegetation to prevent overlooking or loss of privacy to the occupiers of the residential units at Nos. 250 and 252. CPG6 states that use of planting and screening can be acceptable, however, details for ongoing maintenance must be put in place and will be secured by condition prior to occupation of any of the units in building B.
- 6.6.6 No. 256 also has residential units at upper floor levels which have habitable room windows on the rear elevations. Proposed units B3, B4, and B5 have habitable room windows which face north-west, across the site at No. 254, There is a distance for around 16 metres between the proposed windows and views would be at a 35 degree angle. As such, the proposal would not result in direct views at a distance which would be harmful to residential amenity. In order to prevent overlooking from the communal roof terrace at fourth floor level and the roof terrace serving unit B4 at second floor level a conditions is required to secure privacy screen on north-west boundary.
- 6.6.7 No. 254 is currently in use as a marble workshop, storage and offices (B1a, B1c and B8). However, there is a planning application currently under consideration for change of use to provide 62 residential units. The proposed scheme at No. 254 includes a blank wall facing No. 248 5 storeys in height. As there are no habitable room windows facing the application site the proposals at No. 248 would not result in overlooking or loss of privacy for the potential future occupiers of the residential units at No. 254.

Outlook

- 6.6.8 With regards to the impact on outlook for neighbouring properties as a result of the development, it is considered that while the proposed buildings would be visible from the surrounding residential units the physical distances between the buildings would be sufficient to ensure it would not harm outlook.

Daylight and sunlight

- 6.6.9 A daylight and sunlight study using similar methodologies to the assessment of light in the new units has been applied to those surrounding the site.
- 6.6.10 The report assess daylight and sunlight received by adjoining residential units at Nos. 244, 250, 252 and 256. All the windows, bar 1, exceed the criteria VSC test. As such, in relation to these windows the development would not materially harm neighbouring daylight. The 1 window which fails to VSC test is at No. 244 Kilburn High Road serves a bedroom. This room has a roof light above it which provides daylight and is not adversely affected in terms of daylight as a result of the proposal. As such, the room would still receive adequate levels of daylight and the amenity of the occupier would not have adversely affected as a result of the proposal. In terms of sunlight all windows tested would also exceed the criteria for APSH. As such, there would not be any significant impact in daylight or sunlight to any neighbouring property which would harm neighbour amenity.

Noise

- 6.6.11 No external plant is proposed as part of this application. An informative will be included on the decision notice advising the applicant that any subsequent plant would require planning permission.

6.7 Transport

- 6.7.1 The site is located within an area with a PTAL of 6a with excellent access to public transport.

Car parking

- 6.7.2 The development is not proposing the provision of any off street car parking spaces. In order to ensure there would be no strain on the existing on-street parking a Section 106 agreement will be used to secure the new residential units as car free in accordance with DP18. Originally the proposal included 1 disabled parking bay for the wheelchair adaptable unit. This has been removed from the proposal as the layout and access arrangement would conflict with pedestrian and cyclist movement within the site.

Cycle parking

- 6.7.3 Camden's Parking Standards for cycles have now been superseded by the London Plan 2011 standards. For residential units, this requires one storage or parking space per 1-2 bed unit, and two per 3-bed unit. This would equate to 17 spaces for the 14 flats proposed. The development includes a cycle store at ground floor level in building A which would be accessed from the undercroft. Full details of the layout and security of the bike store have not been provided and would be requested by conditions. The overall size of the cycle storage area is considered of sufficient size to accommodate 17 bikes.

Construction Management Plan

- 6.7.4 The site is located on Kilburn High Road, which is a busy road which forms part of the bus route. The proposal will involve significant works due to the erection of new buildings on site. A Construction Management Plan (CMP) is required in order to address the issues

around how the demolition and construction work will be carried out and how this work will be serviced (e.g. delivery of materials, set down and collection of skips), with the objective of minimising traffic disruption and avoiding dangerous situations for pedestrians and other road users. This will be secured through a S106 agreement.

Servicing Management Plan

- 6.7.5 There is a single yellow line outside the application site therefore, it is possible for servicing to take place from the street. However, in order to ensure there is no adverse impact on the local transport network a Servicing Management Plan would be secured by a S106 agreement. The site does have a vehicular access which is shared with No. 264 and the Transport Statement advises that some servicing could be undertaken using this access. Full details of this would be secured through the Servicing Management Plan.

Highway Contribution

- 6.7.6 The Council would be likely to secure a S106 financial contribution for resurfacing the footway adjacent to the site. A highways estimate has confirmed this is likely to be around £5,500 and would cover the repaving on the footway on Kilburn High Road adjacent to the application site. This would mitigate any harm caused to this part of the site during the construction stage and tie the development into the surrounding streetscape.

Environmental Improvements

- 6.7.7 A financial contribution of £28,000 would be required for additional pedestrian, cycle and environmental improvements in the wider area in order to help mitigate the impact of increased trips to and from this site as a result of the development. This would be secured through a S106 agreement. This could be used towards cycle improvement schemes or other public realm improvements in the local area.

6.8 Sustainability

- 6.8.1 Policy DP22 (Promoting sustainable design and construction) states that the Council will require development to incorporate sustainable design and construction measures. All developments are expected to reduce their carbon dioxide emissions by following the steps in the energy hierarchy (be lean, be clean and be green) to reduce energy consumption. Policy DP22 expects all new build residential development schemes to meet Code for Sustainable Homes level 4 and achieve 50% of the un-weighted credits in the fields of Energy, Water and Materials.
- 6.8.2 The application is accompanied by a Sustainability Report which confirms that the proposal will meet Code Level 4 in a Code for Sustainable Homes assessment and that 74.6% of the un-weighted credits would be achieved in Energy, 66% in Water and 66% in Materials. The credits achieved in Energy, Water and Materials are well above the 50% required and are welcomed. A S106 legal agreement should ensure that these targets are maintained at design stage and post construction.
- 6.8.3 The proposed scheme will be built to Passivhaus standards and results in 32% improvement in carbon emissions and has been developed in accordance with the Energy Hierarchy 'Be lean, be clean, be green'.
- 6.8.4 'Be lean' measures include use of materials with high thermal performance, high specification glazing with low U-values, high efficiency combi-gas boilers are proposed, natural ventilation, and low energy light fittings.
- 6.8.5 In terms of 'Be clean' connection to existing heating or cooling networks and provision of a CHP was considered. However, there are no district heating networks in the vicinity of the

development site and the development is too small scale to for CHP to be feasible or able to limit carbon emissions. The S106 agreement will secure that the development is designed to enable its connection to a decentralised energy network in the future should one come forward in the vicinity of the development.

6.8.6 Be Green measures were considered, however, are not proposed as part of this scheme. The Energy Statement identified that incorporation of Be Lean, Be Clean and Be Green measures would have resulted in a reduction of carbon emission by 18% compared to the baseline, However by building to PassivHaus standards to proposal can result in a reduction of 32%. The carbon emissions reduction and PassivHaus standards which are proposed are welcomed and will be secured as a head of term on the S106 agreement.

6.8.7 The proposal results in a substantial increase in built form at the application site. As such, it is considered appropriate to secure provision and details of SUDs by condition.

6.9 **Waste**

6.9.1 The proposed development includes the provision of an internal refuse and recycling store at ground floor level in the undercroft of building A. This would measure 13sqm and provides space for 2 x 660L Waste Eurobins and 1 x 1280L Mixed Recyclables Euronbins as well as space for bulky items or additional bins. The room would be provided with level access to allow the bins to be taken onto the street on the day of collection. The refuse and recycling store would be secured by condition.

6.10 **Planning obligations**

6.10.1 Based on the planning obligations formulae set out in CPG6 and CPG8, a public open space contribution of £19,347 is required along with an education contribution of £34,457 and a community facilities contribution of £26,460. The applicant has confirmed that development costs would be less than £3 million as such local employment and training contributions are not required for this development.

6.11 **Trees, landscaping and biodiversity**

6.11.1 There are no trees on or adjoining that application site. As such, tree protection details are not required. In line with Policy CS15 green roofs are proposed on buildings A and B. Planting is also proposed within the courtyard and on the roof terraces. The main courtyard would be laid with permeable paving. Full details of planting, landscaping and details of the green roof would be secured by condition. The incorporation of planting and green roofs is welcomed and will improve the Biodiversity level of the site.

6.12 **Other matters**

6.12.1 The proposal will be liable for the Mayor of London's CIL as the proposal involves additional residential units. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £50,980 (1,019.6sqm x £50). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

7. **CONCLUSION**

7.1 The proposed development is an imaginative and carefully designed scheme that maximises the development of a back land brownfield site. In line with strategic objectives it provides much needed residential accommodation on a vacant site. The proposal is fully compliant with affordable housing policy objectives and has been designed so as not to preclude the development of adjoining sites. The development will be built to a highly sustainable PassivHaus standard and does not detract from the amenity of occupiers of the adjoining sites. The significant benefits of the scheme are considered to outweigh the minor daylight issues experienced by a handful of the new units. Therefore, the application is recommended for approval subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:-

- Car free;
- Construction management plan;
- Service management plan;
- Energy strategy and PassivHaus certification;
- Sustainability Plan –design stage and post construction review;
- On site affordable housing;
- Provision of wheelchair accessible unit (or easily adapted);
- Open space contribution of £19,347;
- Education contribution of £34,457;
- Community facilities contribution of £26,460;
- Associated highways works contribution of c. £ 5,500;
- Environmental Improvement Contribution of £28,000.

7.2 In the event that the S106 Legal Agreement referred to above has is not completed, the Development Control Service Manager be given authority to refuse planning permission for the following reasons:- Lack of S106 agreement to secure the following: car free; CMP; SMP; associated highway works; energy strategy; sustainability design stage and post construction review; on site affordable housing; open space contribution of £19,347; education contribution of £34,457; community facilities contribution of £26,460; an associated highways works contribution of £ 5,500; and an environmental improvement contribution of £28,000.

8. **LEGAL COMMENTS**

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Condition(s) and Reason(s):

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: P1112_P_100; P1112_P_101 RevA; P1112_P_102 RevA; P1112_P_110; P1112_P_111; P1112_P_112; P1112_P_113; P1112_P_114; P1112_P_115; P1112_P_116; P1112_P_200 RevC; P1112_P_201 RevC; P1112_P_202 RevC; P1112_P_203 RevC; P1112_P_204 RevC; P1112_P_205 RevA; P1112_P_207 RevA; P1112_P_210 RevC;

P1112_P_300 RevD; P1112_P_301 RevC; P1112_P_302 RevC; P1112_P_303 RevB; P1112_P_304 RevA; P1112_P_305 RevA; P1112_P_306 RevC; P1112_P_307 RevA; P1112_P_310; P1112_P_311 RevA; P1112_P_320 RevA; P1112_P_321 RevA; P1112_P_500 RevA.

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

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Plan, elevation and section drawings, including jambs, head and cill, of all new external window and door at a scale of 1:10 with typical glazing bar details at 1:1.

d) Typical details of new railings and balustrade at a scale of 1:10, including method of fixing.

c) Samples and manufacturer's details of new facing materials including windows and door frames, glazing, balconies, balustrades, natural stone and metal cladding with a full scale sample panel of all stone facing finishes of no less than 1m by 1m including junction with window opening demonstrating the proposed colour, texture, face-bond and pointing.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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

- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

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

- 5 Prior to commencement of the relevant part of development a plan showing details of the green roof including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved

details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13, CS14, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP24 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall demonstrate 50% attenuation of all runoff. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Full details of the planted privacy screens, 1.8 metres in height, including a maintenance plan for the planting, shall have been submitted to, and approved in writing by, the local planning authority prior to commencement of the relevant part of the works. Prior to occupation of any of the residential units the approved planted privacy screens shall be constructed on the perimeter of the roof terraces at second floor level and third floor level in Block B.

The planted privacy screens shall be permanently retained and maintained thereafter in accordance with the approved details.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 8 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough

of Camden Local Development Framework Development Policies.

- 9 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policy CS14, of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 10 Before the development commences, details of secure and covered cycle storage area for 17 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 11 The refuse and recycling facilities hereby approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 12 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development. You are advised to incorporate a non-return valve or other suitable device to avoid risk of backflow should the sewerage network surcharge to ground level during storm conditions.
- 7 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

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

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

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

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 8 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.