

Camden Planning Guidance

Amenity

London Borough of Camden

CPG 6



CPG6 Amenity

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1 Introduction

What is Camden Planning Guidance?

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

Amenity in Camden

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

What does this guidance cover?

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

Camden Core Strategy

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

Camden Development Policies

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

7 Overlooking, privacy and outlook

KEY MESSAGES:

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

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

Overlooking and privacy

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

WHAT IS GOOD PRACTICE?

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

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

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

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

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

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

Outlook

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

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

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

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

Further information

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

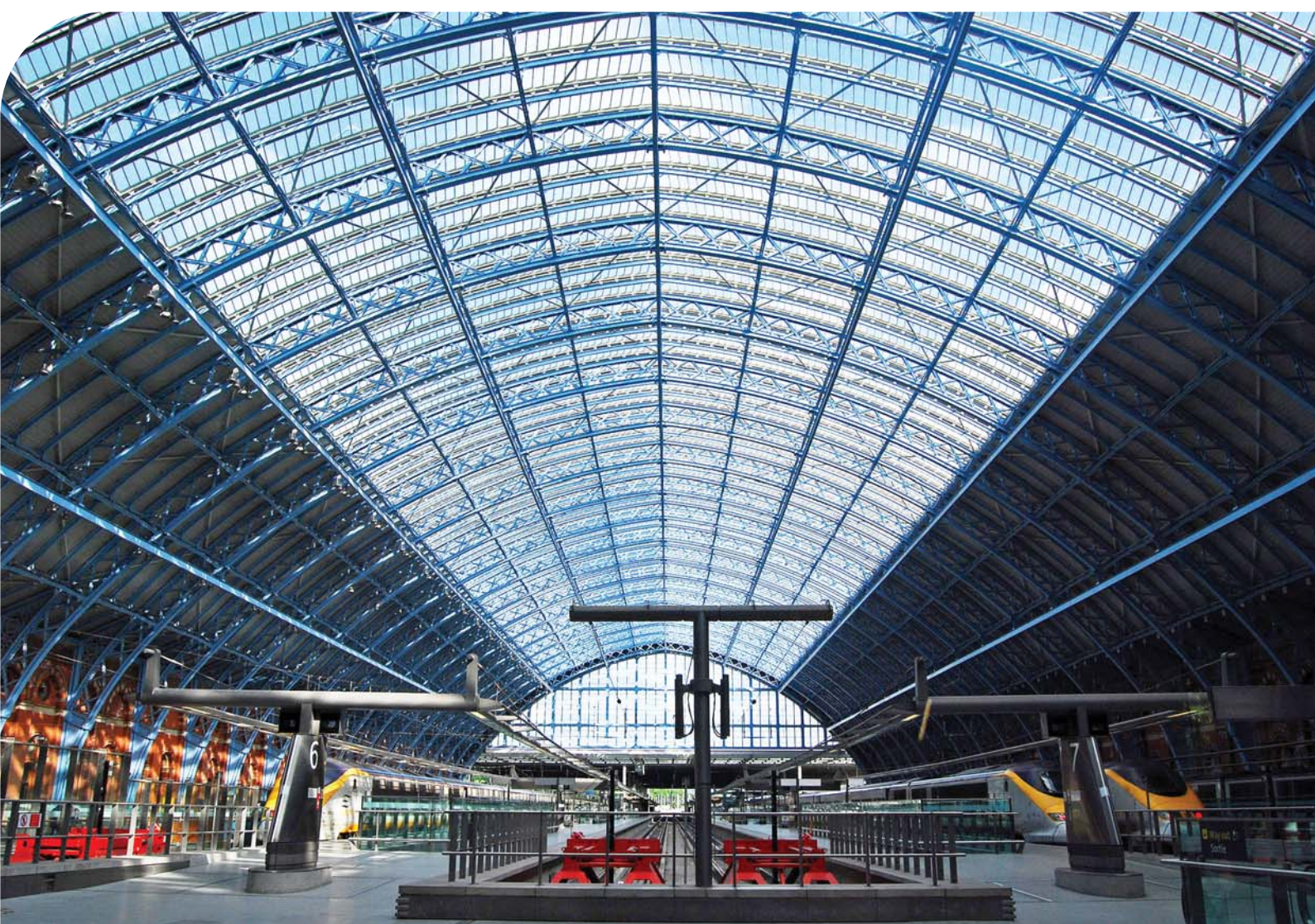
Perceptions of Privacy and Density in Housing report available from Design for Homes; 0870 416 3378 or www.designforhomes.org. This report highlights some of the issues facing households living at higher densities, and the implications for future design of buildings.

Camden Planning Guidance

Transport

London Borough of Camden

CPG 7



CPG7 Transport

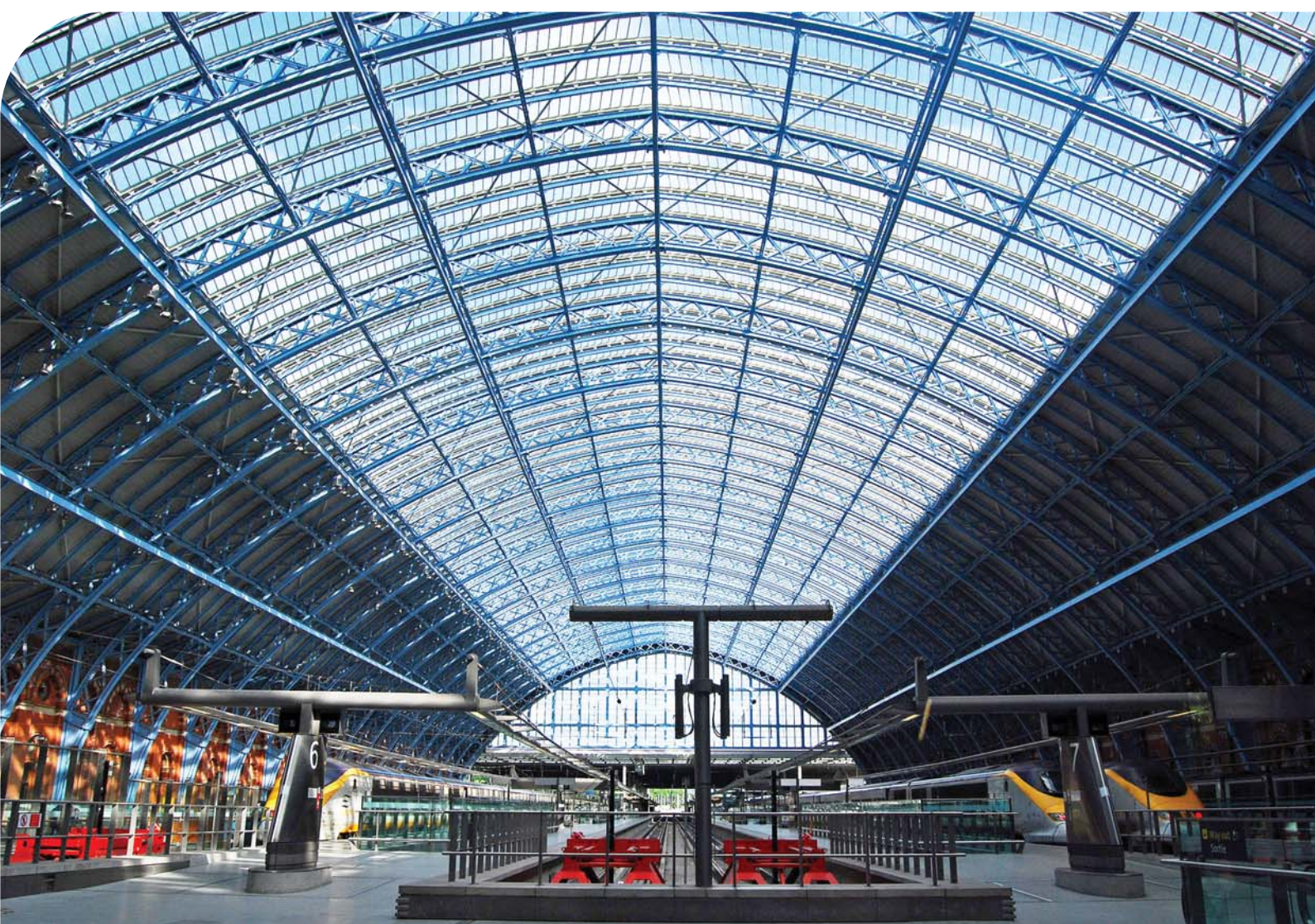
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Transport

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5 Car free and car capped development

KEY MESSAGES

- We expect car free development in the borough's most accessible locations and where a development could lead to on-street parking problems
- Legal agreements will be used to maintain car-free and car-capped development over the lifetime of a scheme

- 5.1 This section explains further the terms car-free and car-capped development, as referred to in the Camden Core Strategy and Camden Development Policies, the mechanisms that are needed to secure them, and the circumstances in which it will be appropriate for the Council to refuse additional dwellings that are not car free or car capped.
- 5.2 It relates to Core Strategy Policy CS7 – *Promoting sustainable and efficient travel* and policies DP18 – *Parking standards and limiting the availability of parking* and DP19 – *Managing the impact of parking* of the Camden Development Policies.

Car-free development

A development which has no parking within the site and occupiers are not issued with on-street parking permits

Car-capped development

A development which has a limited amount of on-site car parking, but no access to on-street parking permits.

- 5.3 Car-free and car capped development is successful in Camden because most of the borough has very good access to public transport services. Levels of car ownership are low compared with London generally, and choosing not to own a car can be an attractive lifestyle option. The guidance in this section covers:
- What car free development is, and where it is sought;
 - What car capped development is, and where it is sought;
 - Implementation of off-street parking restrictions for car-free and car-capped development, including partial provision of car free and car capped development, and maintaining the on-street parking rights of existing occupiers;
 - Meeting the parking needs of disabled people.

When we expect car free and car capped housing

- 5.4 Car free and car capped requirements apply to developments in particular locations and circumstances:
- we expect car free development in the Central London area, our town centres and other areas with high public transport accessibility (see Development Policy DP18);

- we will also expect car free development where the creation of a new access could lead to on-street parking problems where the loss of kerb space creates unacceptable parking pressure. Refer to Development Policy DP21, and the Access section of this guidance for more information);
 - Car capped development applies to schemes that would have an unacceptable impact on on-street parking conditions or highway management and safety through the introduction of new units with access to on-street parking permits (see Development Policy DP19).
- 5.5 Car-free or car-capped housing may be sought wherever development involves the creation of one or more additional dwellings – whether newly built, or created by a conversion or change-of-use.
- 5.6 Non-residential development can potentially involve car-free or car-capped designation if it creates a new non-residential address or involves a change-of-use that would otherwise increase the demand for car parking. This reflects the operation of the parking permit scheme, where permits relate to individual addresses.

Car free development

- 5.7 Car-free development is development that does not have any car parking. No parking is provided or allowed on the site (except parking designated for disabled people), and all of the dwellings or units created are not entitled to on-street car parking permits. Where we seek car free development our parking standards do not apply as no parking is allowed.
- 5.8 Camden Development Policy DP18 states that we will expect development to be car free in the Central London Area, the town centres of Camden Town, Finchley Road/ Swiss Cottage, Kentish Town, Kilburn High Road and West Hampstead, and other highly accessible areas.
- 5.9 'Highly accessible areas' are considered to be areas with a public transport accessibility level (PTAL) of 4 and above. The PTAL of a specific site can be established using Transport for London's Planning Information Database website pages, which can be found at: <http://webpid.elgin.gov.uk/>.
- 5.10 Car free development will also be required where the creation of an access to allow off-street parking would reduce the availability of on-street parking (see also section 6 of this guidance on vehicle access), or would otherwise cause problems relating to highway management or safety. Policy DP19 of the Camden Development Policies states that we will resist developments that would harm on-street parking conditions or harm highway safety.

Car capped development

- 5.11 Car-capped development is development in which all of the dwellings or units created are not entitled to on-street car parking permits, although some or all of the dwellings or units created may have a parking space

on the site, in accordance Camden's parking standards (see policy DP18 and Appendix 2 of the Camden Development Policies). It therefore differs from car free development because some on-site car parking is allowed, in line with Camden's parking standards.

- 5.12 Car capped development is sought in developments that are not in the locations listed in paragraph 4.7 above, where additional off-street spaces can be accommodated within the development without harming highway or on-street parking conditions, but where additional on-street car parking is not considered acceptable.

Circumstances where additional on-street car parking is not acceptable

- 5.13 There are parts of the Borough where increasing competition for on-street parking through introducing additional premises with on-street parking rights is not acceptable. This is generally the case in the Central London Area, but also in many other areas where the parking spaces available cannot meet existing demand. This has implications for queuing and congestion, illegal parking, and highway safety. In these circumstances, if a developer will not enter into an agreement to designate the additional development as car-free or car-capped, planning permission will not be given.
- 5.14 In considering the ability of available on-street parking to accommodate the impact of additional development, we will have regard to the cumulative effect of proposals in the area, including unimplemented and partly implemented schemes already granted planning approval.
- 5.15 Our Parking and Enforcement Plan provides regularly updated permit data, which is used to establish levels of on-street parking pressure on each of the borough's roads. This information will be used when considering the acceptability of applications that would involve the potential allocation of additional on-street parking permits to the future occupiers of new development.

Implementation of on-street parking restrictions for car-free and car-capped development

- 5.16 The whole of Camden has controlled parking and, in principle, is appropriate for car-free or car-capped development. On most days, most parking spaces on residential streets are only available to people holding a parking permit issued by the Council. In Controlled Parking Zones we can restrict access to on-street car parking because we can control the issuing of parking permits.

Controlled Parking Zones

Designated areas in regulations control how parking may be used on different sections of the street and at different times.

- 5.17 In order to be able to maintain car-free and car-capped development over the lifetime of a scheme, the developer will be required to enter into

a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), which would permanently remove the entitlement to an on street parking permit for each home created:

- 5.18 The legal agreement requires the owner of the development to inform incoming occupiers that they are not eligible to obtain a parking permit for on-street parking, or to purchase a space in a Council-controlled car park. This part of the legal agreement stays on the local search in perpetuity so that any future purchaser of the property is informed that occupiers are not eligible for parking permits.

Maintaining on-street parking rights of existing occupiers

- 5.19 Existing parking rights can normally be retained on development sites, where it can be demonstrated that existing occupiers are to return to the address when it is completed. This is common where an existing dwelling or block is being extended or subdivided. It can also occur where a change-of-use brings a site or property into residential occupation.
- 5.20 If a development is to have new occupiers, existing parking rights will not apply, and the Council will apply its car-free / car-capped policies as set out in Development Policies DP18 and DP19.

Meeting the needs of disabled people

- 5.21 Car-free development and car-capped development should be designed taking into account the needs of disabled car users. Blue Badge holders are able to use parking spaces in Controlled Parking Zones without a parking permit. Minimum parking standards apply to parking for people with disabilities, and 1 parking space for people with disabilities is required per 10 general-purpose dwellings (see Appendix 2 of the Camden Development Policies document). In addition, where car-free and car-capped developments contain wheelchair housing, the Council will expect a parking space to be provided for each wheelchair dwelling. Where a resident in need of a reserved disabled parking space moves into a development with no off-street spaces, the Council will consider a request for a designated disabled space on-street in the same way whether the development is formally car-free or not.

Further information

- 5.22 In addition the guidance above regard should also be had to Camden's Parking and Enforcement Plan (2004), which provides further information on our approach to managing parking in the borough.

9 Cycling facilities

KEY MESSAGES

This section includes guidance on:

- The implementation of our minimum cycle parking standards for new development;
- The design and layout of cycle parking; and
- Cycle hire and cycle stations.

9.1 This section provides guidance on meeting cycle parking standards in an effective way, so that cycle parking is convenient and secure, and users of a development are more likely to use bicycles to travel to and from the site.

9.2 It relates to Core Strategy Policy CS11 – *Promoting sustainable and efficient travel* and policies DP17 – *Walking, cycling and public transport* and DP19 – *Parking standards and limiting the availability of parking* of the Camden Development Policies. It should be read in conjunction with Development Policies Appendix 2 – Parking standards.

When does this apply?

9.3 This guidance applies to:

- Applications which involved the creation of one or more additional dwellings;
- Applications which proposed additional floorspace of 500 sq m or more; and
- Applications which are likely to significantly increase the demand for people to cycle to the site.

How do we implement our cycle parking standards?

9.4 Numerical standards for cycle parking spaces are introduced by policy DP18 of the Camden Development Policies, and set out in detail in Development Policies Appendix 2. These standards are applied at a threshold of 500 sq m in most cases. Throughout the standards, the stated number of spaces relates to the number of bicycles to be accommodated, not to the number of stands.

9.5 Where a development crosses the threshold, requirements apply to the entire floorspace, not only the floorspace above the threshold. For example, at a new leisure development, 1 visitor cycle parking space per 250 sq m is required from a threshold of 500 sq m. This means that no requirement applies to a facility of 400 sq m, but 4 visitor spaces are required for a facility of 1,000 sq m.

9.6 Thresholds and standards are given as a gross floor area (GFA) relating to the development as a whole, and are not intended to be applied

separately to individual units where a development is subdivided into smaller units. Thus, space for cycles may be required for small premises (under 500 sq m) which form part of a larger development.

- 9.7
- Table 6.3 of the London Plan sets out additional cycle parking standards and states that additional cycle parking provision will be required for larger (C3) residential units.

Location, design and layout of off-street cycle parking

- 9.8
- Cycle parking should be provided off-street, within the boundary of the site. Cycle parking needs to be accessible (in that everyone that uses a bike can easily store and remove a bike from the cycle parking) and secure (in that both wheels and the frame can easily be locked to the stand). Security is a critical concern in the location, design, enclosure and surveillance of all cycle parking. The table below provides detailed guidance on the location, design and layout of cycle parking for various groups of cyclists.

Location of off street cycle parking

| |
|---|
| <p>General</p> <ul style="list-style-type: none">• Cycle parking outside buildings should be positioned near entrances and where frequent surveillance is possible. For short stays, the parking should be sited within 25 metres of building entrances. For stays of over an hour, the parking should be sited within 50 metres of building entrances.• All cycle parking, including all parts of the parked cycles, should be clear of routes needed for pedestrian movement.• The route to cycle parking from street level should be step free. cycle parking inside buildings should be at the entrance level of the building or accessible by a ramp or lift from street level that can accommodate a bike. |
| <p>Parking for visitors</p> <p>Parking for visitors should be clearly visible or clearly signed from the public highway, and should be near building entrances</p> |
| <p>Parking for employees (and other long stay parking)</p> <p>Parking for employees (and other long stay parking) should be provided either within the building, or otherwise protected from the weather. Consideration should be given to providing lockers and showers for cyclists. For larger development this would be expected and would be a requirement of a Travel Plan (see section 2 of this guidance concerning Travel Plans).</p> |
| <p>Parking for residents</p> <p>Parking for residents should be within the building. Parking for a resident may take the form of a space within an individual dwelling provided that the space is close to the door of the dwelling, and access to the dwelling is level, or by a ramp or lift that can accommodate a bike.</p> |

Design and layout of cycle parking: Sheffield and “Camden” cycle stands

The Council recommends the use of either “Camden” or Sheffield for the provision of off-street cycle parking, as they meet the Council’s requirements in terms of accessibility and security, provided they are laid out correctly.

- The “Camden” stand is a new form of Sheffield Stand, which is now used for all new cycle parking installed on Camden’s public highway. Developers are encouraged to use it in place of the Sheffield stand, although the Sheffield stand is still acceptable. The Council’s Public Realm and Transport team can advice on purchasing “Camden” stands as they are not as widely available as the Sheffield stand.
- The Sheffield Stand is the most common type of cycle stand used in the public highway. It is recommended for use along with Josta two-tier cycle parking;

Annex 1 provides more detailed guidance on the design and layout of “Camden”, Sheffield and Josta stands.

We are willing to consider other forms of cycle parking, however you must meet our accessibility and security requirements, details of which can be obtained from the Council’s Public Realm and Transport team. Generally, designs that require cycles be lifted into place or provide insufficient opportunity to lock the cycle will not be acceptable.



The London Cycle Hire Scheme

- 9.9 The London Cycle Hire Scheme is a public bicycle sharing scheme for short journeys in and around central London. Users can pick up a bike from a docking station, use it for short journeys, then drop it off at any docking station, ready for the next person.
- 9.10 Whilst the cycle hire scheme is currently focused around central London, the Mayor of London is investigating its expansion. The Camden Core Strategy states that we will seek to ensure that the scheme is extended to key destinations across the borough, including our town centres (see Core Strategy paragraph 11.13).
- 9.11 Where appropriate, developments close the area covered by the London Cycle Hire Scheme will be expected to contribute towards the scheme,

where justified as a result of increased trips generated. Contributions could include:

- a financial contribution towards cycle hire facilities. The amount sought will be based on the number of additional trips that are generated by the scheme;
- provision of space on-site to accommodate new cycle hire docking stations, in larger developments where there is space and the location is suitable. Transport for London (TfL) is producing a set of guidance for developers regarding specifications and design requirements for docking stations due to be released in 2011.

- 9.12 Contributions sought will relate both to the individual impact of a scheme and to any cumulative impact of a number of schemes in the same area.

Cycle stations

- 9.13 Cycle stations provide a secure managed area for cycle parking. The Camden Core Strategy promotes the provision of cycle stations as part of an effort to increase the availability of cycle parking in the borough (see paragraph 11.13 of the Core Strategy), and we intend to create a network of publically accessible cycle stations across the borough.

- 9.14 We will seek the provision of cycle stations in locations where it will be possible to attract a sufficient number of users. Suitable locations include:

- town centres and the central London area;
- transport interchanges;
- large commercial developments;
- residential areas - linked to new and existing residential development of a suitable scale; and
- larger health and education facilities.

- 9.15 Where developments generate an increased level of activity they will be expected to provide contributions towards the provision and maintenance of nearby cycle stations, in order to mitigate the effects of the increased number of journeys.

- 9.16 We will also seek on-site provision of cycle stations as part of larger developments in suitable locations. On-site provision of cycle stations can incorporate a development's cycle parking requirements for visitors (as set out in our parking standards), but should also include extra provision for the wider public. Parking provision for employees and residents of a development, as set out in our parking standards, should be provided separately in order to ensure that they retain the appropriate number of spaces to meet the demand that they generate.

Design of cycle stations

- 9.17 As a minimum, cycle stations should incorporate indoor, sheltered standard cycle parking (e.g. Camden or Sheffield type cycle stands) with

controlled access to the indoor area, and lighting. Cycle stations can incorporate a variety of other features including automated cycle locks, changing facilities, lockers, toilets and showers. Access to and from the cycle station by bike must be safe and convenient and accounted for within the space.

- 9.18 The Camden Cycle Stations Programme - Review of Best Practice (March 2009) provides information on best practice in the provision of cycle stations. Features that contribute to a successful cycle station include:

- Being located not more than 100m from the target destination, with shorter stays requiring shorter distances;
- Good surveillance by staff, other users and passers-by.
- Effective maintenance and management
- Clear and unambiguous signing to and within the cycle station.

Further information

- 9.19 In addition to the guidance provided in Annex 1 below (which includes details on the layout of off-street cycle parking), reference may also need to be made to the Camden Streetscape Design Manual. The manual contains dimensions for on-street cycle parking and the widths required for unobstructed pedestrian routes.

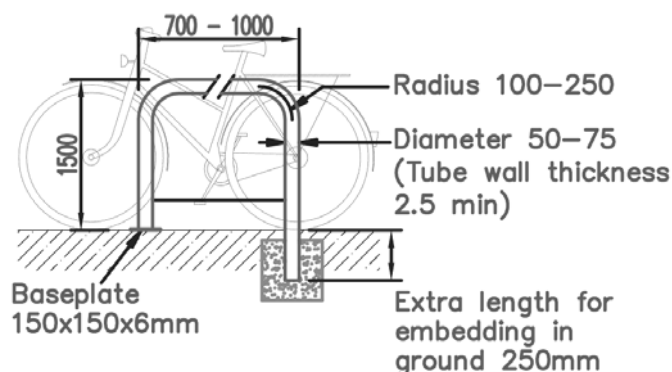
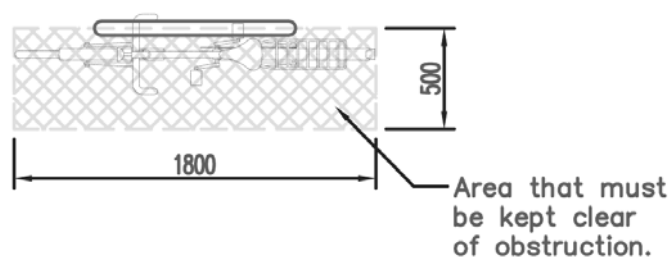
- 9.20 Other supporting documents include:

- Forthcoming TfL Design and specification of cycle hire scheme
- Forthcoming TfL Guidance on Cycle Stations
- Camden Cycle Stations Programme - Review of Best Practice (March 2009)

- 9.21 London Cycle Network Design Manual (London Cycle Network Steering Group, March 1998)

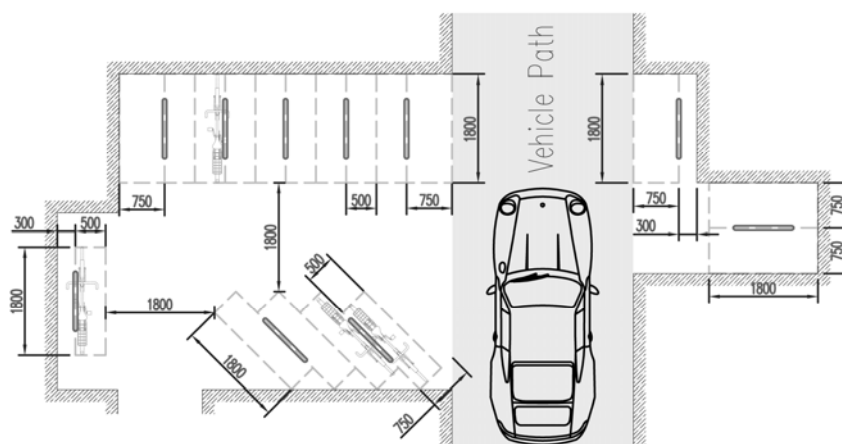
Annex 1 – Sheffield Stand Cycle Parking

- 9.22 This Annex describes in detail how to lay out Sheffield stands. It also can also be applied to the layout of “CaMden” stands.
- 9.23 The "Sheffield Stand" refers to a common design of cycle parking made from a tubular steel loop, approximately 50mm to 75mm in diameter, that is fixed to the ground (either bolted through a baseplate or set in concrete). Each Sheffield Stand can accommodate two bicycles, one either side, provided there is sufficient clearance next to the stand and sufficient circulation space so all cycle parking spaces can be accessed
- 9.24 The CaMden Stand is similar to the Sheffield Stand but is in the shape of a rounded “M” rather than a simple loop. This is designed to encourage users to lock both wheels and the frame to the stand, rather than just the top tube / frame.

Figure 3. Sheffield Stand Elevation**Figure 4. Sheffield Stand Plan**

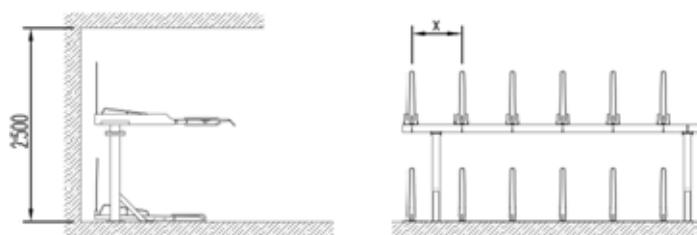
- 9.25 For adjacent stands, an area of at least 1800mm by 500mm next to the stand (measured from the centre line of the tube), must be kept clear for each cycle parking space to allow room for the cycle and working space for locking the bike to the stand. However, if a stand is next to a physical obstruction, such as a wall or a vehicular path, there must be at least 750mm between the stand and the physical obstruction to enable both sides of the stand to be used. If a stand is to be placed close to a wall or other physical obstruction so that only one side of it can be used (i.e. only one cycle can be locked to it), there must be at least 300mm between the stand and the physical obstruction.
- 9.26 Aisles around the cycle store must be at least 1800mm in width. An example cycle store showing various layout options is shown below. Note that the area to be kept clear does not actually have to be marked on the ground, but is shown in outline for clarity.

Figure 5. Cycle stand siting

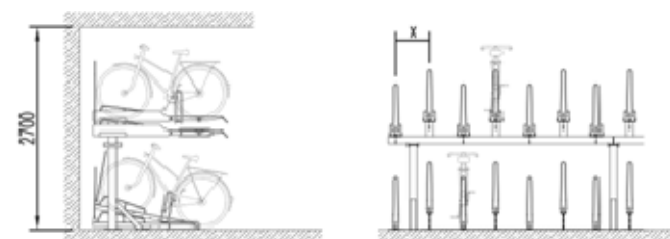


Josta Two-tier Cycle Parking

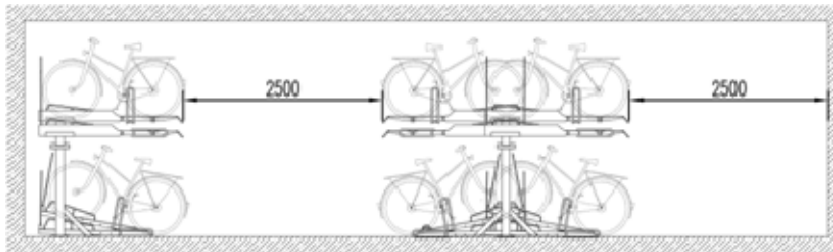
- 9.27 The Josta two-tier cycle parking system (or similar) is generally able to accommodate approximately twice as many cycles per square meter of floor space as Sheffield stands. It also still meets the Council's requirements for accessibility and security, but requires a ceiling height of at least 2500mm.
- 9.28 With a ceiling of at least 2500mm the stands can be placed 650mm apart, i.e. $X = 650\text{mm}$ in the diagram below.



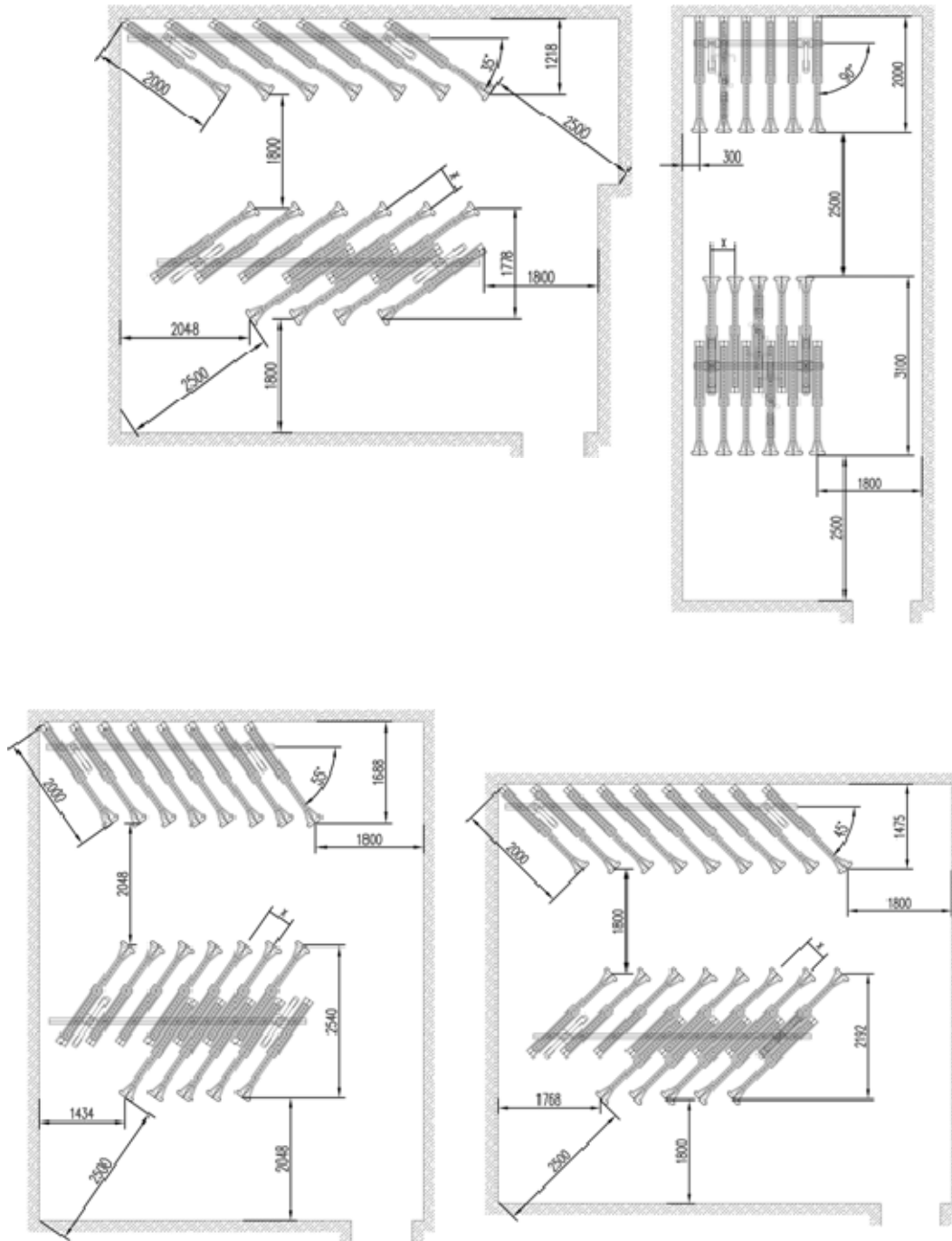
- 9.29 With a ceiling of at least 2700mm the stands can be placed 400mm apart, i.e. $X = 400\text{mm}$ in the diagram below.



- 9.30 In order to enable the top tier to be used, at least 2500mm of clearance in front of the stand, measured on a line at the same angle at which the top tier stands are extended (see diagrams below), is required between rows of stands, walls or other obstructions.



- 9.31 The Josta stands can be arranged at different orientations (angles) provided there is 2500mm of clearance in front of the rack to remove cycles from the top tier (as described above) and aisles around the cycle store at least 1800mm in width. Examples, with minimum distances are shown below. “X” indicates the spacing between stands, which depends on the ceiling height as described on the previous page.

Figure 6. Josta Stand minimum siting dimensions

Camden Planning Guidance

Planning Obligations

London Borough of Camden

CPG 8



CPG8 Planning obligations

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1 Introduction

What does this guidance cover?

- 1.1 The purpose of this guidance is to provide an indication of what may be required when the Council considers that a development proposal needs a planning obligation to be secured through a legal agreement. Planning obligations can be used positively and to address some of the negative impacts of development which would otherwise make a development unacceptable.
- 1.2 Planning obligations are normally secured under Section 106 (S106) of the Town and Country Planning Act 1990. However, the Government currently intends to introduce a Community Infrastructure Levy (CIL) in order to secure infrastructure funding from individual developments. This is intended to operate alongside the Section 106 system and will be explained further below.
- 1.3 The use of planning obligations is an important tool in ensuring the delivery of necessary infrastructure to support the Local Development Framework. They will be used to ensure that the strategic objectives of the LDF Core Strategy and Development Policies are met through requirements attached to individual development proposals.
- 1.4 The use of planning obligations is specifically required through policy CS19 - *Delivering and monitoring the Core Strategy* although a whole range of individual Development Policies may be used to justify an obligation, particularly those relating to affordable housing, sustainability and transport. This guidance is intended to provide general advice on how planning obligations operate. Large scale developments generally have more significant and complex obligations attached to them, but obligations may also be applied to small scale developments to achieve measures such as car free housing or to manage the impacts of construction.

When will it apply?

- 1.5 This guidance applies to all development where proposals are likely to be subject to planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended). In dealing with planning applications, local planning authorities consider each proposal on its merits and reach a decision based on whether the application accords with the development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused.
- 1.6 In some instances, however, it may be possible to make acceptable development proposals which might otherwise be unacceptable, through the use of planning conditions (see Department of the Environment Circular 11/95) or, where this is not possible, through planning obligations. Where there is a choice between imposing conditions or entering into a planning obligation a condition will be used.

3 Amenity

- 3.1 Development can be positive, but it can also have a significant environmental impact on the amenity of those who live near the development site. It can sometimes cause general nuisance and disturbance, vibration, noise pollution and dust pollution. Development can also have an impact on the surrounding landscape and biodiversity.
- 3.2 The negative impacts of development on amenity can be and short term and connected to the construction phase of the development, or they can be long term and connected to the day to day operation of the development. The negative impact of a development on the amenity of the surrounding area can normally be offset by good design, planning conditions and controls covered by other legislation.
- 3.3 Where these measures are not adequate to deal with the potential negative environmental impacts of a proposed development which is deemed generally acceptable, a S106 Agreement can be drawn up between the Council and the developer, requiring the developer to undertake certain actions to offset those impacts.
- 3.4 The Council will seek to manage the impact of development when considering a development proposal in line with Development Plan policies DP26 and DP28. However, certain aspects of demolition and construction have specific planning implications and may need to be addressed through planning conditions or planning obligations entered into through a Section 106 Agreement.



Construction

- 3.5 Where demolition and construction is likely to affect local amenity, it is better to consider the environmental impacts at the planning stage and seek ways to minimise them. Many concerns can be addressed through adoption of a co-operative stance between all parties involved and developers should refer to and utilise the Considerate Constructors Scheme.

- 3.6 Many of the environmental impacts of construction works are covered by specific legislation to control pollution, maintain clean air and minimise disturbance. Because of this and other controls small construction projects cause relatively minor amounts of local disturbance and in most cases will not require a section 106 agreement to deal with construction management. However, in the case of large construction and demolition works, planning obligations may be used to minimise the environmental impacts and address the consequences of construction (e.g. to manage construction traffic and/or reinstatement surfaces to a condition that existed prior to construction).
- 3.7 In most cases planning obligations will involve a demolition and/or construction management plan. Please refer to Camden Planning Guidance 6 Amenity, Section 8 for further detail on Construction Management Plans. In these plans the developer undertakes to carry out the demolition or construction works in strict accordance with a plan approved by the Council. The plan may include provisions for phasing, sequential development, management of waste, controlling noise and access during construction. When drawing up the construction or demolition management plan the developer will be required to consult with officers of the Council, the police and local residents and businesses. Local businesses could also be used to supply materials and services in relation to development and construction in order to minimise travel distances and transport costs.
- 3.8 The Council may require the developer to set up a Construction Community Working Group in order to discuss, advise and, where appropriate, make recommendations to the developer in relation to construction management. The Working Group should be made up of an appropriate number of representatives from local residents and/or business associations, a nominee of the Council and/or the Council's Culture and Environment Department, and a project manager and/or Liaison Officer who would act as a point of contact between the local community and the developer.
- 3.9 The Construction Community Working Group can have an input into a Construction or Demolition Plan or Method Statement for Construction, which the developer should submit for the approval of the Council before implementation. The plan or statement should cover the following:
- the programme for construction works;
 - site conditions;
 - erection of hoardings and scaffolding;
 - time of operations;
 - noisy activities;
 - time of deliveries;
 - dealing with construction traffic, vehicles and other likely traffic and parking issues;
 - temporary road and footway closures and surfacing reinstatement/repair proposals; and

- consideration of complaints from the business and residential community.

3.10 Construction should proceed at all times in accordance with this plan or Method Statement.

Construction waste

3.11 The Council will seek to minimise the amount of waste generated by a development and to maximise the amount of waste that is reused or recycled. Developers should try to ensure that construction waste is minimised. Recycling of demolition waste can help reduce the amount of aggregates that have to be transported through London and contribute to the saving of resources.

3.12 Construction waste needs to be disposed of safely and the vicinity of the construction site should be kept in a clean and safe condition. The Council may require the developer to submit for approval a Construction Waste Management Plan separately, or as part an overall Construction and Demolition Plan, which the Developer will be obliged to follow during the period of construction.

Noise

3.13 Noise pollution has a major effect on amenity and on quality of life in general. The Council will not grant permission for noise sensitive development in locations where there is noise pollution, unless appropriate attenuation measures are taken. Policy DP28 *Noise and vibration* sets out the acceptable thresholds for noise in relation to sensitive uses. If suitable separation cannot be achieved the Council will consider whether it is practical to control or reduce noise levels through the use of conditions, planning obligations or other environmental legislation.

3.14 Whilst design measures and planning conditions will often be sufficient to address noise impacts within the development site, planning obligations may require financial contributions to fund:

- noise mapping;
- noise monitoring to identify the number of people adversely affected by noise from road traffic and railways, and to validate noise levels calculated by noise mapping; and/or
- a post development survey to confirm that requisite measures have been implemented successfully.

3.15 In addition the Council may require a noise management plan through a legal agreement, which may require a developer to:

- put in place a scheme for the sound insulation of affected dwellings in order to safeguard amenity;

- reduce noise at source, e.g. by vehicle fleet selection to minimise noise generated by individual vehicles such as delivery lorries, cars and railway vehicles;
- implement off-site noise mitigation measures against traffic noise and vibration such as noise barriers and sound insulation of residential properties and other noise sensitive receivers;
- provide and maintain off-site tree and landscape buffers;
- put into operation a traffic management scheme to reduce road traffic noise; and/or
- work with the local highways authority to implement requisite highways works and a maintenance programme incorporating provision of quieter road surfaces, such as porous asphalt.

Contaminated land

- 3.16 Contamination of the ground and underground water can affect human health, cause harm to the natural environment and damage buildings and underground services. The Council will require measures to remove unacceptable risk from contaminated land and thus make the site suitable for its new use by way of planning conditions.
- 3.17 Where a development includes any potentially contaminative uses the Council will expect proposals to be submitted to prevent future contamination of land or groundwater and may impose planning conditions to that effect. Land contamination issues must be fully addressed in any environmental assessment or statement to accompany a planning application.
- 3.18 For those developments in or adjacent to areas where objectives for land contamination are unlikely to be met by condition (i.e. where there is still a residual impact), the Council will require a S106 planning obligation. The planning obligation will be directed towards measures designed to deal with the contamination, including during construction works, and to make the site suitable for its intended use.
- 3.19 The Council may require a developer to provide a financial contribution for:
- site investigation and remediation works which would include any measures to prevent hazards arising from future use of the site and the disposal or containment of any contaminants;
 - for monitoring following the completion of the development, e.g. measuring gas or water contamination in boreholes or installing permanent monitoring equipment; and/or
 - a post-development survey to confirm that requisite measures have been implemented successfully.
- 3.20 A management plan may also be necessary requiring the maintenance of remedial works such as landscaping or water treatment facilities, or imposing restrictions on the land to minimise and control future potentially hazardous or contaminating development or use of the site.

Microclimate

- 3.21 Large developments have the potential to change the microclimatic conditions in the surrounding area, for example by overshadowing a public space for large parts of the day, or by causing windy conditions around the development. The Council will expect that in the case of a development that has the potential to have an adverse effect on the environmental conditions in a nearby street or public space relevant attenuation measures should be integrated into the proposals.
- 3.22 On-site attenuation measures can also be specified in the planning conditions attached to a planning permission. The Council may require a developer to undertake an assessment (e.g. a wind assessment) of the development as part of the planning application submission. The developer may be required to integrate any findings or recommendations into the finished development. The Council may also require the developer to manage and maintain a development in accordance with an environmental plan, which may need to be approved as part of an application.
- 3.23 In certain cases the adverse effects of a development on the environmental conditions of the public spaces around and within the development may be attenuated by off site measures such as planting trees as a windbreak. Other off-site shading or shielding devices may be required to control or improve the environmental conditions in public and semi public spaces around the proposed development. The Council may require the developer to pay a financial contribution to secure these works.

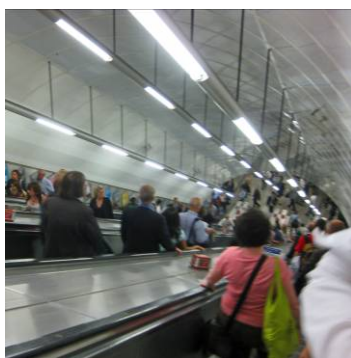
10 Transport

Car free and car capped housing

- 10.1 In order to encourage use of other types of transport and reduce parking stress the Council will use legal agreements to make development car free or car capped. This will limit the number of new residents from being able to obtain on-street parking permits.
- 10.2 Agreements will require the owner of the property to inform the Council's Planning Obligations officer in writing of the official postal address of the property and to clearly identify the car free units before the development is occupied. The owner will also be required to inform any occupants of the property of any car free restrictions. Please refer to the Guidance note on car free and car capped developments for an explanation why the Council imposes these restrictions.
- 10.3 Once planning permission is granted which includes a car free restriction, a copy of the agreement will be passed to the Council's permit issuing team who will maintain a record of properties excluded from obtaining a parking permit. In cases where part of the property is subject to a car free restriction no parking permits will be issued until the owner or developer has clarified in writing with the Council's Planning Obligations officer the official postal address of the property and identified the unit(s) to which the car free restriction applies.

Travel plans

- 10.4 The Council may use legal agreements to require travel plans to manage the impacts of the development where these measures are deemed necessary to control the impacts of the development. A contribution may be sought to cover the staff costs for overseeing the implementation of these plans. Please refer to guidance note on Travel Plans and Transport Assessment for further information



Public transport contributions

a) Contributions towards Crossrail

- 10.5 The collection of funds for Crossrail is required under Policy 6.5 of the London Plan 2011 (Funding Crossrail and other strategically important transport infrastructure) which states that:

In view of the strategic regional importance of Crossrail to London's economic regeneration and development, and in order to bring the project to fruition in a suitably timely and economic manner, contributions will be sought from developments likely to add to, or create, congestion on London's rail network that Crossrail is intended to mitigate. This will be through planning obligations, arrangements for the use of which will be established at strategic level, in accordance with relevant legislation and policy guidance.

- 10.6 In July 2010 Supplementary Planning Guidance was published by the Mayor explaining how the system will operate. In Camden it is that all office, retail and hotel development schemes in Central London and the Euston and Kings Cross Opportunity area which add more than 500sq m of floorspace will need to pay a charge. The charging rates and land uses are given in the table below and there will be a 20% reduction on charges paid before March 2013.

| Use | Rate per sq m |
|--------|---------------|
| Office | £137 |
| Retail | £88 |
| Hotels | £60 |

- 10.7 Applicants are recommended to consult the final Crossrail Supplementary Planning Guidance Note which can be viewed on the Greater London Authority web site. The charge will be collected by Camden on behalf of the Mayor. The negotiation of the contribution towards Cross Rail will be carried out having regard to Policy 8.2 in the 2011 London Plan.

b) Other public transport contributions

- 10.8 Where public transport provision is not adequate to serve a development (in terms of capacity, frequency, reliability, boarding points, access to boarding points and vehicles), the Council may seek a contribution to public transport provision. This will be assessed through the transport assessment. Please see guidance note on Assessing transport capacity.
- 10.9 The Council will therefore consider mechanisms such as those listed below to reconcile development proposals with the public transport services which will serve them:

- seeking contributions to existing provision so that they can serve the development better (examples could include enhancing pedestrian routes to stops, providing shelters, better seating and real-time information at stops, or increasing service frequencies); and
- seeking contributions towards pooled funds to be used towards a particular provision or type of provision once accrued funds are adequate (examples could include funds for bus priority measures extending some distance along a route, for an extension to a route, or for a co-ordinated series of measures across an area to make public transport safer at night).

- 10.10 The Council will generally consider seeking contributions towards facilities that assist the use of public transport services which have an existing or proposed boarding point within a convenient walking distance of the development. For bus services, a convenient walking distance is generally up to 400 metres. For rail services, a convenient walking distance is generally up to 800 metres.

Pedestrian, cyclist and environmental improvements

- 10.11 Developments that lead to an increase in trips in the borough have a cumulative impact on Camden's transport network, particularly the public transport network and pedestrian flows. To help mitigate this impact, the Council may seek contributions to improve provision for pedestrian and cyclists as well as making the public realm more accessible and attractive.
- 10.12 Therefore for larger developments (above 1,000 sq m), the Council may seek contributions toward pedestrian, cyclist and environmental improvements in the local area in addition to any works which might be required to integrate the development with the surrounding public highway network. The Council will seek flexibility in the S106 to allow funds to be spent on an agreed range of relevant transport projects. This will allow co-ordination with other projects in the area, which may have a variety of funding sources.