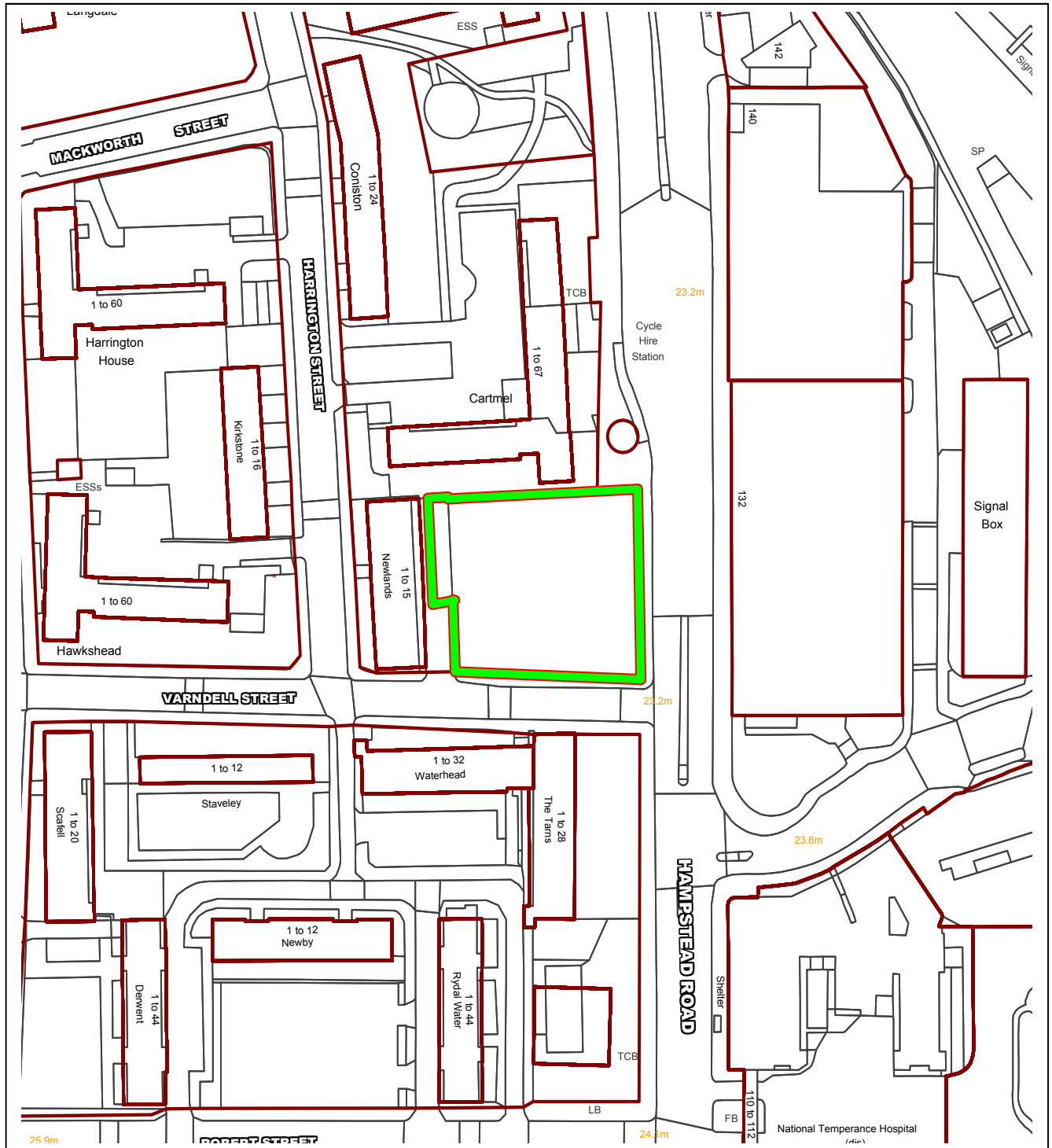


# Plot 4 – Newlands, Regents Park Estate, Hampstead Road, London, NW1 2PS

2016/3404/P- Site Location Plan



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# Plot 4 – Newlands, Regents Park Estate, Hampstead Road, London, NW1 2PS

## Site Photos

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(1) Aerial photo #1 (Prior to commencement of works)



(2) Aerial photo #2 (Prior to commencement of works)



(3) Aerial photo #3 (Prior to commencement of works)



(4) Aerial photo #4 (Prior to commencement of works)



(5) Site viewed from Varndell Street



*(6) Location of substation (behind line of temporary hoardings)*



*(7) View back towards Varndell Street #1*



*(8) View back towards Varndell Street #2*



<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>31/10/2016</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	
<b>Officer</b>			<b>Application Number(s)</b>	
John Diver			2016/3404/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Newlands Regents Park Estate Hampstead Road London NW1 2PS			See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Erection of sub-station on land at the Newlands Site, to service part of the redeveloped Regents Park Estate granted under planning application ref: 2015/3076/P				
<b>Recommendation(s):</b>		<b>Grant Conditional Permission</b>		
<b>Application Type:</b>		<b>Full Planning Permission</b>		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>16</b>	No. of responses	<b>03</b>	No. of objections	<b>03</b>
Summary of consultation responses:	<p>Three site notices were posted near to the site for the period of the 09/09/16 until the 30/09/16.</p> <p>As a result of the public consultation, responses were received from the occupiers of nos.1 and 4 Newlands as well as 20 Calverley Grove. Their objections can be summarised as follows:</p> <ol style="list-style-type: none"> <li>1. Already affected by constant noise, dust and pollution that has been caused as a result of the construction work near the estate.</li> <li>2. Substation will lead to noise and will be a nuisance</li> <li>3. Noise would particularly impact upon vulnerable elderly / disabled tenants.</li> <li>4. New block already reduces daylight, substation will cause further loss of light.</li> <li>5. Reduction in outlook from ground floor windows</li> <li>6. Existing substation should be extended</li> <li>7. Request for rear access road to not be used as service run for shops or services</li> </ol> <p><u>Officers Response:</u></p> <p><i>1: It is acknowledged that the works to implement the parent application are on-going, however the development proposed in this application is of a much smaller scale, and it is not considered to necessitate a separate Construction Management Plan. The works that are ongoing as part of application 2015/3076/P, are covered by a Construction Management Plan. There is a Community Working Group also secured as part of the previous approval where residents should raise any concerns about construction works.</i></p> <p><i>2-3: Please see paragraphs 3.13 – 3.17</i></p> <p><i>4-5: Please see paragraph 3.12</i></p> <p><i>6: Please see paragraphs 3.2 – 3.7</i></p> <p><i>7: The hereby proposed development would necessitate the use of the communal foreground behind the Newlands block to be used for access to the sub-station. This would however be infrequent and is not considered to lead to any significant harm.</i></p>					
CAAC/Local groups comments:	N/A					



## Site Description

The application site relates to an area of green space addressing the corner of Varndell street to the South and Hampstead road to the East. The space is also enclosed by blocks of flatted residential block to the West (Newlands) and the North (Cartmel). The space it is not designated as open space within the Local Development Framework (LDF). As part of the High Speed Rail Two replacement housing scheme, an application was recently approved for the wider Regent's Park Estate for which works are currently on going (see the below section for full details). The application site relates to Plot 4 of this previous application where permission was granted for the erection of a 11 storey residential building with a commercial unit to the ground floor.

## Relevant History

**2015/3076/P:** Planning permission was granted subject to conditions and shadow s106 agreement on the 09 December 2015 for *'Two-phased mixed use development to provide 116 residential units (Class C3), community facility (Class D1) and retail and commercial space (Class A1/A3/A4) across 8 plots including on green/open space in plots 2,3,4. Development would range from 3 to 11 storeys in height, with associated landscape and public realm works, reorganisation of car parking and associated infrastructure works, following demolition of Dick Collins Hall, Victory Public House, and the Cape of Good Hope Public House. All in association with High Speed 2 proposals'*.

As a part of this major application, an 11 storey mixed use block was approved within the aforementioned green space forming the application site for this application. Works to implement this permission are currently ongoing on site. Due to the explicit connection between the hereby proposed development and the above scheme, the above shall be referred to as the 'parent application' for the purposes of this report.

There is no other relevant planning history for the application site.

## Relevant policies

### National Planning Policy Framework (2012)

### The London Plan March 2016

### LDF Core Strategy and Development Policies (2011)

### LDF Core Strategy (2010)

- CS5 – Managing the impact of growth and development
- 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

### Development Policies (2010)

- DP21 - Development connecting to the highway network
- DP22 - Promoting sustainable design and construction
- DP24 – Securing high quality design
- DP25 – Conserving Camden's heritage
- 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

### Camden Planning Guidance

- CPG1: Design (2015)
- CPG6: Amenity (2011)

## Assessment

### 1. Introduction

- 1.1. Planning permission is sought for the erection of a brick built enclosure to house a sub-station serving the part implemented redevelopment scheme of the Newlands site, approved as part of planning application 2015/3076/P. The enclosure would be situated on the western edge of the site, in between the approved main block and the adjacent, existing Newlands block. The siting would be adjacent to the boundary of the site and would feature access onto the communal access driveway along the rear of the Newlands block. The enclosure itself would have an area of 19m<sup>2</sup>, with a width of 4.7m, depth of 4m. The enclosure would feature a flat, sedum roof with a height of 3m.
- 1.2. This enclosure would house a 1000KvA capacity electrical transformer which would help to distribute energy to both the development at the Newlands (application site) as well as the wider redevelopment of the Regents Park Estate (also approved as part of the parent application).

### 2. Revisions

- 2.1. Although no revisions to the scheme were sought, the applicant was informed that additional information and justification would be required for the Local Planning Authority (LPA) to be able to support the application. As such the applicant subsequently prepared a detailed statement to explain the requirements and justification for the proposed development, as well as providing evidence to confirm the requirements made by UK Power Network.

### 3. Assessment

- 3.1. The principal considerations material to the determination of this application are as follows:

- The principle of the development
- The visual impact upon the character and appearance of the streetscene and local area (Design)
- The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity)

#### **Principle of the development**

- 3.2. As aforementioned, in response to a request for further clarification of the need for the proposed sub-station as well as justification of the location proposed, the applicants have submitted a number of supporting statements, correspondence as well as technical information.

#### Requirement

- 3.3. The parent application includes the provision of 116 new homes, a replacement community centre, public house and no.3 commercial spaces. As such the energy requirements of the new buildings will be considerable. During the parent application it had been anticipated that an existing sub-station close to the site could be upgraded to meet the demands of the proposed redevelopment. No new sub-station was thus proposed as part of the parent application. Following the granting of permission, the applicant began negotiations with UK Power Network (UKPN) to attempt to arrange these upgrades to the existing infrastructure.
- 3.4. The applicant has demonstrated that the requirement for the additional sub-station and lack of potential for upgrading existing facilities was confirmed by UK Power Network (UKPN) via a number of email correspondences between UKPN and the applicant's energy consultants (Power On Connections). In particular, these emails discuss the existing sub-station close to the site, its limited capacity and the factors which inhibit its further expansion.
- 3.5. In an email dated 15 December 2015, a senior Project Designer from UKPN states that, in reference to the

request to utilise and expand the existing sub-station: *“Unfortunately we cannot accommodate this total load at LV [low voltage] in the area. There are considerable works planned surrounding the site and we are unable to connect both services at LV at the local substation”.*

- 3.6. The submitted statement continues to mention that factors limiting the potential for upgrading the existing infrastructure include: the fact that the existing sub-station already houses the largest capacity transformer for domestic application; the existing sub-station is already nearly at capacity dealing with existing load from flats within the estate; the access into the existing sub-station is awkward and does not comply with UKPN's own standards, expanding this facility would thus be contrary to UKPN's access requirements.
- 3.7. Based upon the submission of evidence / justification it is accepted that, on balance, the requirement for an additional sub-station rather than the upgrading for the existing is indeed necessary and is therefore not disputed in principle.

#### Proposed Siting

- 3.8. As well as the requirement for the sub-station itself, a request for further justification for the proposed siting was also initially given to the applicants. The submitted Design and Access statement has thus included a step by step justification giving details of how the applicants assessed a number of locations for the proposed siting and why the hereby proposed siting was chosen as the most appropriate and least harmful option.
- 3.9. This statement outlines the process of elimination applied when selecting the site, factoring in issues such as: UKPN's various design and access requirements; the capacity and limitations of the approved internal plant room; requirements of Building Regulations and implications to proposed locations; impacts caused to adjacent Open Space Mitigation site (3); impacts caused to existing and approved trees; and impacts to future access caused by highways alterations brought forward as part of the wider HS2 scheme.
- 3.10. The submitted statement is therefore considered to adequately demonstrate that the siting of the hereby proposed sub-station is the result of a comprehensive assessment of a number of locations, where the various constraints and impacts have been properly considered. The hereby proposed siting is considered to be the only viable location for any proposed new sub-station due to the aforementioned site constraints. As such the location is not disputed in principle and the proposal will now be assessed against the remaining considerations on this basis.

#### **Design**

- 3.11. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used.
- 3.12. Despite its somewhat utilitarian form (necessitated by the function of the structure); the applicant has worked to ensure that the appearance of the proposed enclosure is of high standard via the use of quality materials to match the adjacent main building; planting around the structure to help soften long views as well as views from within the green space; and finally by including a green roof to help soften views from above. In order to ensure that the detailed design of this proposed green roof ensures that sustained growth is viable, a condition has been recommended that full details of this proposed element are submitted and approved by the LPA. It has been confirmed by the applicant that the maintenance of the green roof will be the Council's responsibility and will be managed in the same manner as other green and brown roofs approved within the estate. Notwithstanding this, the aforementioned green roof condition includes provisions for the requirement of the submission of a management strategy for this green roof. This is in order to ensure that the long term maintenance of this feature is secured and is properly considered to ensure its viability.
- 3.13. As it has been demonstrated that the proposed siting is the only viable location (see para.3.8 – 3.10); overall it is considered that the proposed structure has been sufficiently designed to minimise visual impact and is therefore in accordance with policy DP24.

## **Residential Amenity**

- 3.14. Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight, as well as noise and disturbance. Policy DP28 aims to ensure that noise and vibration is controlled and managed and sets out the Council's thresholds for noise and vibration.
- 3.15. Due to the size, height and minimum distance of 6.6m to the nearest adjacent property, the proposed enclosure is not considered to lead to a substantial loss of light to any nearby residents. Due to its siting it is not considered to exacerbate any light issues formed as a result of the adjacent approved building, impacts from which were fully assessed under the parent planning application. Due to this siting and the distances retained between the structure and opposing properties in the Newlands block, the enclosure would similarly not detrimentally impact upon outlook. This is also the case for properties within the Cartmel block to the North, which are also a sufficient distance away to not cause harm in terms of outlook or light (approximately 22m). Vegetation screening would also be utilised to the sides of the structure to help obscure the brick enclosure, and the proposed sedum roof would help soften the visual impact of the structure from upper units/floors. As the enclosure would not feature any openable windows and would be used only by UKPN engineers, accessing the enclosure along the existing communal drive, the privacy of any adjoining occupier would similarly not be disrupted by the proposed enclosure.
- 3.16. As the brick enclosure would be used to house a sub-station and the proposed siting is within close proximity to a large number of both existing and soon to be existing units; significant concern was initially raised regarding the noise and vibration disturbances that might be produced as a result of the proposed transformer.
- 3.17. Chapter 4 (Noise and Vibration) of CPG6 (Amenity) states that "*Proposals will be expected to include appropriate attenuation to alleviate or mitigate the impact of noise and vibrations to an acceptable level, as set out in policy DP28*" (para 4.7). This chapter additionally sets out guidance regarding mitigation measures, as well as methods that the Council will utilise to manage the impact of noise and vibration.
- 3.18. Accordingly, meetings were held with the Council's Environmental Health (EH) officer regarding the likely levels of noise and vibration produced as well as the design of the proposed enclosure in terms of its attenuation properties and potential. Based upon the transformer data sheets provided as well as the design of the structure and louvers, EH officers confirmed that the structure would be of sufficiently solid construction, and with adequate internal room to provide mitigation measures that would reduce the impact of noise and vibrations to an acceptable level (i.e. those set out in policy DP28).
- 3.19. Further to this the EH officer has recommended a condition which specifies that the proposed sub-station may not be used by the applicants until details have been submitted and approved by the Council to demonstrate mitigation measures, and that the resulting external noise level emitted from the sub-station will be lower than the lowest existing background noise level by at least 10dBA, and by 15dBA where the source is tonal. As the condition specifies that the approved details shall be implemented prior to use of the development and retained permanently thereafter; EH officers have confirmed that this condition is significantly robust to ensure that no adjoining occupiers shall be detrimentally impacted upon as a result of the development.
- 3.20. In accordance with the attached conditions and the advice of the Council's Environmental Health officer; the hereby proposed development is therefore considered to have an acceptable impact upon the residential amenities of neighbouring occupiers, remaining in accordance with policies DP26 and DP28.

## **4. Recommendation**

- 4.1. Grant conditional permission

***The decision to refer an application to Planning Committee lies with the Director of Supporting Communities. Following the Members Briefing panel on Monday 31<sup>st</sup> October 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***



Regeneration and Planning  
Development Management Formatted

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Town Hall  
Judd Street  
London  
WC1H 9JE

Tel 020 7974 4444

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Mr Senan Seaton Kelly  
Tibbalds Planning & Urban Design Ltd  
19 Maltings Place  
169 Tower Bridge Road  
London  
SE1 3JB

Application Ref: **2016/3404/P**  
Please ask for: **John Diver**  
Telephone: 020 7974 **6368**

27 October 2016

**DRAFT**

Dear Sir/Madam

### DECISION

Town and Country Planning Act 1990 (as amended)

#### Full Planning Permission Granted

Address:  
**Plot 4 - Newlands  
Regents Park Estate  
Hampstead Road  
London  
NW1 2PS**

**DECISION**

#### Proposal:

Erection of sub-station on land at the Newlands Site, to service part of the redeveloped Regents Park Estate granted under planning application ref: 2015/3076/P

Drawing Nos: NLSSPL; (Prefix NL-IW-XX-ZZ-DR-A-): 10.0.02 Rev C; 10.0.12; Design and Access Statement (received 20/10/16); Covering Letter dated 17 June 2016.

The Council has considered your application and decided to grant permission subject to the following condition(s):

#### 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

Executive Director Supporting Communities



INVESTOR IN PEOPLE

Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the adjacent building approved under planning application 2015/3076/P dated 09/12/2015, unless otherwise specified in the approved application.

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

NLSSPL; (Prefix NL-IW-XX-ZZ-DR-A): 10.0.02 Rev C; 10.0.12; Design and Access Statement (received 20/10/16); Covering Letter dated 17 June 2016.

Reason:

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

- 4 Prior to commencement of use, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment with mitigation measures in situ as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA, or by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. Approved details shall be implemented prior to first use of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 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.

- 5 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. These details shall include the following:
  - i) Details of the green roof including species, planting density, substrate.
  - ii) A section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability
  - iii) Programme for a scheme of maintenance

Executive Director Supporting Communities

The buildings shall not be operational until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 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.

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 Compliance and Enforcement team [Regulatory Services], 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Executive Director Supporting Communities

Executive Director Supporting Communities