

Address:	328-338 Finchley Road 2-6 Platt's Lane 17A 19-29 Kidderpore Avenue Former Caroline Skeel Library		1
Application Number:	2013/0685/P	Officer: Conor McDonagh	
Ward:	Frognal & Fitzjohns		
Date Received:	04/02/2013		
Proposal: Redevelopment of the site to create 128 residential units (Class C3) including affordable housing and a community use facility (Class D1), following demolition and conversion/refurbishment of existing buildings used for student accommodation and ancillary offices (sui generis) and construction of new buildings ranging between 3 - 5 storeys in height, together with associated works to create basements, car parking, landscaping and public realm improvements.			
Drawing Numbers: Existing 809_01_07_001 P1; 002 P1; 010 P1; 020 P1; 021 P1; 022 P1; 030 P1; 041 P1; 042 P1; 043 P1. Proposed 809_01_07_100 P2; 101 P4; 102 P3; 103 P2; 104 P2; 105 P2; 106 P2; 107 P2; 108 P2; 109 P2; 200 P2; 201 P2; 202 P1; 203 P1; 204 P2; 300 P1; 301 P1; 400 P2; 401P1; 402 P2; 403 P1; 404 P1; 405 P1; 406 P2; 407 P2; 408 P2; 409 P2; 410 P1; 500 P1; 501 P1; 502 P1; 503 P1; 504 P1 Landscape D0159_004 B; 005 B. Tenure Plans 809_01_07_150 P1; 151 P1; 152 P1; 153 P1; 154 P1; 155 P1; 156 P1; 157 P1; 158 P1.			
Documents: Design Statement by Allies and Morrison Architects; Access & Inclusivity Statement (Revision 3) by David Bonnet Associates; Heritage Statement by Montague Evans; Affordable Housing Statement (and Affordable Housing Toolkit) by Strutt and Parker; Statement of Community Involvement by Hardhat Communications; Sunlight and Daylight report by Anstey Horne; Traffic Impact Assessment (including Green Travel Plan and Construction Management Plan) by WSP Group; Noise Assessment by WSP Group; Air Quality Assessment by WSP Group; Sustainability Statement (including Code for Sustainable Homes and Eco-Homes Pre-Assessment) by Hodkinsons Consultancy; Energy Statement by Whitecode; Bat Survey by The Ecology Consultancy; Phase 1 Habitat Survey by The Ecology Consultancy; Biodiversity Report by Ecology Consultancy; Arboricultural Implications Assessment and Arboriculture Method Statement by The Landscape Partnership; Basement Impact Assessment by Card Geotechnics Limited; Flood Risk and Drainage Assessment by Arden Consulting Engineers; and Visual Townscape Impact Assessment by Peter Stewart Associates (all dated January 2013).			
Correspondence: Letter from WSP attached to email dated 16/04/13 in response to TfL comments; Letter from CBRE dated 10/06/13 outlining all revisions.			
RECOMMENDATION SUMMARY: Grant conditional permission subject to s106 Legal agreement			
Related Application? Date of Application:	Conservation Area Consent 04/02/2013		2
Application Number:	2013/0698/C		

Proposal: The demolition of nos 328, 330, 332, 334, 336 & 338 Finchley Road, 2-6 Platt's Lane and 27-29 Kidderpore Avenue, associated with the redevelopment of the site.	
Drawing Numbers: 809_01_07_001 P1; 002 P1; 010 P1; 020 P1; 021 P1; 022 P1; 030 P1; 041 P1; 042 P1; 043 P1. Heritage Statement by Montague Evans dated January 2013.	
RECOMMENDATION SUMMARY: Grant conditional conservation area consent	
Applicant:	Agent:
Barratt West London and King's College London C/O Agent	CBRE Henrietta House London W1G 0NB

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace GIA
Existing		<i>Sui Generis Student Accommodation</i>	5,732 m ²
		<i>Administrative use associated with the Student use</i>	6,856 m ²
		<i>D1 Non-Residential Institution</i>	365 m ²
Proposed		<i>C3 Dwelling House</i>	14,756 m ²
		<i>D1 Non-Residential Institution</i>	365 m ²

Residential Use Details:						
	Residential Type	No. of Bedrooms per Unit				
		1	2	3	4	Total
Proposed market	Flat	15	38	36	4	93
Proposed social rent	Flat	-	6	14	-	20
Proposed intermediate	Flat	13	2	-	-	15
Total		28	46	50	4	128

Parking Details:			
	General parking	Disabled parking	Cycle parking
Existing	8	0	Unknown
Proposed	71	10	236

OFFICERS' REPORT

Reason for Referral to Committee: Major development for more than 10 residential units [clause 3(i)]; involves substantial demolition of buildings in a conservation area [clause 3(v)]; is subject to the completion of a Section 106 legal agreement for matters which the Director of Culture and Environment does not have delegated authority [clause 3(vi)].

Environmental Impact Assessment

A screening opinion on the same site for a larger development was provided by the Council in 2008 whereby that development did not constitute an EIA development under the EIA Regulations 2008 (as amended). Consequently, a further screening opinion was not necessary for the development as submitted, which was smaller and set in a context that has not changed since 2008. An EIA is not applicable to the development.

EXECUTIVE SUMMARY

The site owners have undertaken three separate rounds of formal pre-planning application discussions with the Council, first in 2008 and secondly in 2010. Neither scheme was deemed appropriate to be brought forward into a planning application. The submitted proposal has been the result of the third round that commenced November 2011. Subsequently, the Council has overseen 15 months of intensive pre-planning application discussions with the developer and their architects, as well as local amenity groups, and the Hampstead School of Art that reside on the site. Consultation included a Development Management Forum and a Developer's Briefing with Members. Subsequently, the submission of an application was welcomed by officers in February 2013.

It is important to note that the site was not considered appropriate by the Council for inclusion in the Site Allocations DPD that was recently considered at Examination in Public, nor is there a Planning Brief or any other specific guidance that covers the site. There is no master plan for the area, and site owners or local amenity groups/neighbours did not seek to pursue one, particularly when the opportunity arose during the extensive rounds of consultation undertaken by the Council for the Site Allocations Document. Accordingly, the Council is obliged to consider this individual development site on its own merits and against relevant Core Strategy and Development Plan policies only. The site, however, is now in two separate ownerships and in this circumstance a single joint application to holistically develop the entire site is the optimum way forward for this important piece of underused land. Officers particularly welcome this collaborative approach to larger development sites like this, which share a common and natural boundary. The site is constrained by limited access and varying land levels that makes the alternative piecemeal approach difficult. Moreover, a holistic development makes optimum use of the large open space within the site that would become common amenity for all prospective residents.

1. SITE

- 1.1 The irregular shaped site comprises an area of approximately 0.98 hectares and is bounded by Kidderpore Avenue to the north; Platt's Lane to the west; Finchley Road to the south and the grounds of the modern part six storey Westfield residential development to the east. The site accommodates a mix of uses and styles of buildings in varying states of repair and occupation. The entire site once comprised the Kings College London (KCL) Hampstead Campus South Site, however only the north-west area of this site, comprising an interconnected four storey 'C' block of student accommodation, remains under KCL ownership and is currently occupied by 214 students. The remaining south-eastern portion of the site, comprising 328-338 Finchley Road, 17a-25 Kidderpore Avenue and the Skeel Library was purchased from KCL by Barratt West London (BWL). These buildings are vacant, apart from 19 and 21 Kidderpore Avenue that are currently occupied by the Hampstead School of Art (hereafter Art School). The remaining BWL buildings were historically a mix of student and administrative use for the campus but are now vacant. Finchley Road was vacated in 2001, Kidderpore Avenue (save Art School) in 2004 and the student's library since 2006.
- 1.2 In terms of heritage assets the entire site is located within Redington and Frognaal (hereafter RedFrog) Conservation Area. The site retains early 20th Century buildings of historical interest. There are the three 2-4 storey semis comprising 328-338 Finchley Road (of which 328-330 and 332-334 are positive contributors) and 17a-25 Kidderpore Avenue houses that are all positive contributors. The Skeel Library, located in the centre of the site directly south of Kidderpore Avenue houses, is a 6 storey red-brick clad building constructed by KCL in 1972, as was the student accommodation block. Both these modern developments detract from the character and appearance of the conservation area. There are no listed buildings on the site, however KCL's North Campus sited directly across Kidderpore Avenue, contains a number of listed buildings, including Annesley Lodge and St Luke's Church that are both Grade II*.
- 1.3 The site also has a strong green and verdant character, including a substantial central open space enclosed by the student block, Finchley Road houses and library. This space is not publically accessible; although a pedestrian right of way runs parallel to it, linking Finchley Road to Kidderpore Avenue. Mature trees are prevalent on the open space and along Platt's Lane and Kidderpore Avenue, and a number of larger trees comprise the boundary with the Westfield plot to the east. The sites complex topography is formed by a 10m level change from east to west and 10m change from north to south, equivalent to three storeys.
- 1.4 With regard to surrounding context, Kidderpore Avenue is largely characterised by substantial detached two and three storey early 20th Century buildings, with generous front gardens and lined by mature trees giving a strong leafy suburban character. In contrast to Kidderpore Avenue, Finchley Road is a very busy four lane route serving central London, with a much more urban context characterised by a mix of terraced, semi-detached and mansion blocks up to five storeys in height.

- 1.5 The site is located in an accessible location with regard to public transport provision, and has a moderate public transport accessibility level (PTAL) of 3 when measured from the Finchley Road frontage. The site can be accessed by various bus routes from Finchley Road and Fortune Green Road. Finchley Road & Frognal Overground station is located approximately 1.13km to the south-east of the site; West Hampstead Thameslink (National Rail) is located approximately 1.2km to the south of the site. Underground and Overground stations are also located nearby in West Hampstead; Hampstead Station (Underground) is located approximately 1.4km to the east of the site.

2. THE PROPOSAL

Original

- 2.1 The proposal includes a mix of building refurbishment and conversions as well as demolition and new building to create a scheme of 128 new residential units and a purpose built community facility, primarily for use by the Hampstead School of Art. As the site is to be developed in two separate phases, each phase of the proposal will be considered separately.

Phase 1

- 2.2 Proposes the demolition of 328-338 Finchley Road to be replaced by three new mansion blocks F, G and H. Each block would be 5 storeys including a lower ground level. Block F would provide 14 market units, G 13 affordable units and H 9 affordable units.
- 2.3 Phase 1 also includes the conversion of 17a (block C), 19-21 (block B), 23 (block A2) and 25 Kidderpore Avenue (block A1) and the library (block D) into residential, to provide a total of 5 units on Kidderpore Avenue and 30 within block D. The library (block D) will be stripped back to its superstructure and re-clad with an additional storey added, so it becomes 6 storeys above ground plus two lower levels. A total of 29 car parking spaces, including 4 disabled, would be provided and accessed via the existing vehicular lane off Kidderpore Avenue. A further 2 disabled spaces are provided outside opposite the basement access to block D.
- 2.4 The existing Hampstead School of Art residing in 19-21 Kidderpore Avenue will be relocated to a purpose built 3 storey block E that delineates the retained and improved access route through the site.

Phase 2

- 2.5 Proposes the demolition of the student accommodation block, comprising 2-6 Platt's Lane and 27 and 29 Kidderpore Avenue. Built in its place would be a 5 storey block J, (similar to design to phase 1 blocks F, G and H) to provide 9 affordable units. On Platt's Lane would be a 4 storey block K comprising 13 market and 4 affordable units. Block K includes a part 3 / part 1 story while rendered projection on the corner, which reads sits separately as a single dwelling. Two detached blocks L and M would be built on Kidderpre Avenue:

L being 3 storeys (viewed from Kidderpore Avenue) comprising 13 markets units and M being 4 storeys and comprising 14 market units.

- 2.6 A shared basement (single level under block K and double level under blocks L and M) would be accessed via newly created access from Kidderpore Avenue, bisecting blocks L and K. This would comprise 53 car parking spaces, inclusive of 5 disabled.

Revisions

- Block K's footprint set 750mm further away from the back of the footpath to enable a strip of planting, and decking to be introduced to protect the root protection area of tree T1;
- Basement area below Blocks L & M reduced in size (2 car parking spaces lost) to enable replanting of more mature native tree species on Kidderpore Avenue;
- Block E (Hampstead School of Art / Community Facility) shifted slightly southwards so its fully on phase 1 land to allow occupation on completion of phase 1;
- Revisions to flank wall window layout and treatment to Blocks K, L, M, J & H to overcome minor overlooking issues;
- Revisions to the car & cycle spaces layout in Blocks D, F, G, H, J, K, L and M; to make spaces fully accessible;
- Incorporation of additional living roofs and other ecological enhancements to Block D (total increase of 258sqm to 1,258sqm).

- 2.7 The nature of the above revisions did not require a re-consultation exercise.

3. RELEVANT HISTORY

3.1 17 Kidderpore Avenue

8600192: Change of use from residential with store/garage on the Kidderpore Avenue frontage to teaching/academic purposes with ancillary storage together with alterations to the front elevation. **GRANTED** 03/06/1986.

3.2 21 Kidderpore Avenue

TP/1851/SR/919: Use as a hostel for Westfield College (University of London). **GRANTED** 23/03/1953.

3.3 25 Kidderpore Avenue

TP/13758/1212/19477: Use as study facility for the academic staff of Westfield College. **GRANTED** 18/10/1963.

3.4 27-29 Kidderpore Avenue

1327/1110: Change of use from dwelling house into student hall of residence and construction of dormer windows at the rear. **GRANTED** 29/11/1963.

3.5 2 Platt's Lane

4219/07/09/67: Use as a student hall of residence. **GRANTED** 19/10/1967.

- 3.6 4 Platt's Lane
7330: Change of use for a limited period of dwelling house to academic staff studies, teaching rooms, staff and student residence and/or administrative offices in connection with Westfield College. **GRANTED** 28/08/1969.
- 3.7 328 Finchley Road
182: Use as hall of residence for University students. **GRANTED** September 1960.
- 3.8 330 Finchley Road
539: Conversion into a student hostel. **GRANTED** 16/11/1961.
- 3.9 332 Finchley Road
463: Conversion into a student hostel. **GRANTED** 17/08/1961.
- 3.10 334 Finchley Road
17176: The change of use into a university hall of residence. **GRANTED** 29/11/1973.
- 3.11 336 Finchley Road
17176: The change of use into a university hall of residence. **GRANTED** 29/11/1973.
- 3.12 338 Finchley Road
9401139: The change of use from a single dwelling house to house in multiple occupation to accommodate 13 students. **GRANTED 27/10/1994.**

4. **CONSULTATIONS**

STATUTORY

- 4.1 **Transport for London:** NO OBJECTION subject to conditions and s106 obligations to be secured by the Council in relation to the following:
- 20% of the car parking spaces should be equipped with electric vehicle charging points (EVCP), and further 20% passive provision be achieved.
 - The trip generation assessment is revised to include comparable sites mainly in inner London from the TRAVL database with similar PTAL rating.
 - An assessment be carried out establish the number of bus connection trips generated by people intending for the Underground.
 - A full Delivery & Servicing Plan (DSP) should be submitted.
- 4.2 **English Heritage:** NO OBJECTION
- English Heritage seeks that the application be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
- 4.3 **Thames Water:** NO OBJECTION subject to:

- Informative seeking installing of a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- Informative to ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- Informative recommending that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
- Informative securing pipes to get a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes.
- Condition for no impact piling to take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. The reason for the condition is because the proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

4.4 **Environment Agency: NO OBJECTION:**

- This site is in Flood Zone 1 and is under a hectare. Therefore you did not need to consult us on flood risk matters.
- Surface water runoff rates and volumes from the site must be managed in accordance with the London Plan (July 2011) - which sets higher standards than NPPF for the control of surface water run-off. Policy 5.13 - Sustainable drainage (page 155) of the London Plan states that "development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible" in line with the drainage hierarchy.

4.7 **Natural England: NO OBJECTION**

- This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development.
- Using our Bat Mitigation Guidelines we determined that the scale of impact is low and that mitigation has been provided which is appropriate and proportionate to the scale of impact, that is, like for like in terms of roost size, aspect, temperature etc, considering whether it includes appropriate landscaping, maintenance of commuting routes, foraging areas and management of lighting etc to prevent indirect impacts upon bats.
- We determined that when the mitigation is taken into account, the proposals comply with Article 12(1) of the Habitats Directive or would be licensable.

- We advise the authority that permission may be granted subject to appropriate conditions including a detailed mitigation and monitoring strategy for bats.
- It should also be noted that the advice given at this stage by Natural England is not a guarantee that we will be able to issue a licence, since this will depend on the specific detail of the scheme submitted to us as part of the licence application.

LOCAL GROUPS

4.6 Redington and Froggnal Conservation Area Association: OBJECTS

- The empty buildings and site have suffered through years of vacancy since Barratt bought the main part of the site.
- A fair number of trees have been lost and none replaced. That has reduced the habitat available to local birds and bats. Bats are still present as registered by a survey in Jan 2013 by the Ecological Consultancy.
- The site slopes steeply down from Kidderpore Avenue to Finchley Road. This creates big problems if you plan new large buildings with underground parking, as it makes construction access and excavation very difficult.
- The site is desperately short of green space. The key characteristic of RedFrog CA is its generous provision of garden area. It is green and leafy and acts in wildlife terms as a green corridor and habitat extension for birds and insects for nearby Hampstead Heath. That has its own positive overspill effect into West Hampstead just across Finchley Road.
- The site still has split ownership between Barratt Homes and KCL who have combined for the purpose of making a single planning application. However, their intentions are quite different. Barratt intend to build homes for sale as soon as permission is granted. KCL are "land-banking" a planning permission enabling them to sell the site to a house builder once they can find a cheaper site south of the river to re-house their students. This will take several years
- Thus any permission granted will have implications for the even more important Northern side of the KCL Campus, just opposite on the other side of Kidderpore Avenue. That site includes a number of listed buildings and substantial green space, and is listed as a Borough Grade 2 SINC. KCL's intention is to close the campus gradually and sell it for residential development.
- The community would oppose the loss of student accommodation and threat to the communal garden areas.
- However it is agreed that the site needs redevelopment. It has stood largely empty far too long.
- The main use within any new development should be residential. However, the Hampstead School of Art is integral to the neighbourhood and must be retained.
- The Kidderpore Avenue educational and student presence is very important to maintaining balance and diversity within the local community.
- Loss of the campus would threaten a sustainable balance and would be contrary to Camden's policies on student accommodation.

- Retention, expansion and enhancement of garden space are critical to provide reasonable conditions for proposed residents and contribute to wildlife habitat, improving both local biodiversity and sustainability.
- 19-25 Kidderpore Avenue are high quality Edwardian houses making a good contribution to the CA. They should be retained and restored and given reasonable garden area.
- 326-330 Finchley Road contribute little to the CA and could be redeveloped sympathetically with buildings of higher quality.
- The Skeel Library presents a challenge. It is completely out of character with the CA and overdeveloped on backland. The obvious answer of demolition and replacement with green space is unrealistic but would also create big problems of noise and vehicle access over a long period. If it is retained and converted it should have as much green space within it as possible i.e. green roof, green balconies, surround planting. The resultant density would be well above the norm for the CA, and if permitted the special circumstances should be recognised so that it is not used as a precedent elsewhere.
- The occupied (and popular) student housing on the KCL part of the site is undistinguished but modest in scale enclosing and enjoying the central green space, once dramatically reinforced by its mature trees recently felled. It is also providing student housing in a part of Camden where there is real demand. It would require a very persuasive case to replace it with private luxury housing. We note the housing has not been offered to other colleges.
- Construction and heavy lorry movement cannot take place safely from Platt's Lane or Kidderpore Avenue. It requires a safe in-out access from Finchley Road, which in turn requires a firm agreement with TfL for the duration of the scheme.
- There are particular problems with a split ownership divided site and undefined timescale for completion. It is essential to treat the development as a unit and to ensure that the whole development can comply with conditions, otherwise we will be faced with a half completed scheme and a new application in a few years time.
- The framing of a strong s106 Agreement is critical to ensuring that what actually takes place complies with what councillors believe they permit. It must reflect practical issues which are inevitable with a phased scheme.
- There is no explanation of how the transition from Phase 1 to Phase 2 will be managed. This creates many potential problems. The only safe construction and demolition access from Finchley Road will be built over by the time Phase 1 is complete, so how will Phase 2 be built?
- The main area of green space for the whole development is within the Phase 2 land ownership. How can we be assured that this green area will be sustained and improved during building and actually be available for residents of Phase 1 when they move in?
- The long term future for the larger KCL Campus North is glossed over. The developers argue that as KCL will eventually create a campus elsewhere in London to replace the student housing on this South part of the site then there is no loss of student housing. That is the wrong approach. The loss of this housing will make it inevitable that the larger KCL North Campus will later be sold.

- The time for Camden to address the principle of whether student housing is needed is now. If it is ignored then it will be much harder to justify retention of the North Campus – no doubt exactly what KCL plan.
- The proposed new building for Hampstead School of Art is welcome, as is the new pedestrian pathway through the site. However, we need to be sure that the accommodation will in reality be made available to HSA, and that requires agreement of terms for long-term use, and temporary accommodation being provided during construction.
- The proposed division of car parking between phases is unrealistic and shows the “smoke and mirrors” approach to pretending that two developments by two different owners separated by several years is actually one scheme. Only 31 spaces are available for the 75 flats in Phase 1. That seems too low, but no more can be provided without more space given over to ramps, access etc on a site which already has too little green space. 53 spaces are provided for the 53 units in Phase 2 – but these will not be available for residents of Phase 1.
- We can see no realistic strategy for preserving the bat habitat which requires food and insects in the vicinity of the roost while construction continues. This needs to be addressed.
- We need to be sure that the construction access arrangements enable the whole development to be built without heavy lorries needing to access Platt’s Lane and Kidderpore Avenue. We doubt this is in fact achievable and what is intended for Phase 2 is a new application later on with a fait accompli of the Finchley Road access no longer being possible.
- The central green space is absolutely critical to the environment of the site its amenity for residents and the landscape strategy outlined in the application. Its restoration and replanting needs to be carried out very early and it then needs to be preserved through the construction phase so that it is available to all new residents in good condition. There is no sign how this will be achieved.
- The central problem with this application is the two phase scheme which leaves so many issues not properly explored or managed. It leaves local residents very exposed to a later application for a different scheme with Phase 1 already complete.
- It also gives up on the future of the much more important KCL North Campus without a proper planning debate or analysis by officers.
- Redfrog recommends rejection of this application and encouragement for the two different owners to submit new applications for their own sites.
- In the case of the Phase 1 Barratt site, we would anticipate a broadly similar scheme, but one who’s eventual building will not leave residual problems. In the case of the Phase 2 KCL site, the future of the whole campus will be a relevant planning factor, as will management of construction traffic for that site.

If the Council is nevertheless minded to grant consent then suitable conditions mirrored in a tight s106 Agreement are the only way of reducing risk. These are conditions which should be included:

- (i) No development shall commence until the central landscape improvements are completed.

- (ii) The central landscaped area shall be open to all residents of the site and made available once the first flat is occupied.
- (iii) No development shall commence until the Council are satisfied that there is a completed agreement with TfL enabling completion of the entire development with all construction traffic routed along Finchley road.
- (iv) No construction traffic will be permitted on Kidderpore Avenue and no construction access will be permitted on that road.
- (v) No development shall commence until there is an approved strategy for maintenance of the resident and visiting bat population throughout the construction phase and long term.
- (vi) No development shall commence until the Council are satisfied there is a firm agreement in place with Hampstead School of Art for long term occupation of the proposed community building and short term provision during the construction phase.
- (vii) Skeel Library redevelopment to include installation of true living roofs at top levels and consideration of greening in additional construction vertically. The perimeter set back should not be used as continuous terraces.
- (viii) Finchley Road proposed buildings top structures elevations to be clarified and 'lightened' in appearance.
- (ix) Platt's Lane elevation to be modified. We do not understand the proposal to place balconies overlooking busy roads and facing northwest.
- (x) Small pavilion at corner of Platt's and Kidderpore is not liked right at the site boundary. Set back or increase adjacent trees & bushes to maximise retention of greenery here.
- (xi) Backs of existing Kidderpore houses to set the maximum 'building line' for the new blocks to preserve and enhance the internal green space.

4.7 The Heath and Hampstead Society: OBJECTS

- We accept that there have been significant improvements of layout and design as compared with previous proposals on which consultations were held; in particular the appointment of architects Allies and Morrison, who have transformed the architecture of the proposals. However, our reservations are:
 - 1) Site ownership and phasing.
 We note that ownership of the site is not unified. Whereas a section of the site is presented by BWL, as owners (or option-holders), the remainder stays in the ownership of KCL. This presents unacceptable possibilities for the future development of the residual section, which is designated as a second, or future, phase. You are requested by this application to permit development as described on the drawings and other information as *a whole*. The site layout design depends on its remaining as *now* designed, not as a first-phase layout with future development "pencilled in". However this can be dealt with in terms of planning procedures, there must be *no* interference in the future in the overall concept now depicted (assuming it could be permitted). We suppose that this could be done by a specifically-worded condition, or by Section 106 Agreement, or both. We are uneasy about dependence on the Section 106 route: our joint experience on the Athlone House site, where Section 106 provisions have been over-ridden roughshod. In that case, developers have been able to give possession to buildings constructed as a first phase before

the provisions of the Section 106 Agreement on Athlone House itself could be implemented. Developers have clever lawyers, and have only one priority: profit. This is a fundamental issue on this site, and we don't want to see the Athlone House mistakes repeated in 5-10-15 years time.

2) Open Space

The provision of open space/garden is minimal on a site containing as many as 128 flats. This area of Hampstead is characterised by its green and open features. Your Conservation Area Statement rightly describes it "with its quiet and green environment" and with "mature trees and dense vegetation" with "sizeable gardens". A high-density proposal of this nature goes against this low-density green concept. We recognise that this garden-style environment has already been compromised by the University buildings, but it is essential that the basic qualities of the area are preserved, not just for the benefit of the 128 flat-owners, but for conservation area principles. The triangular-shaped central space designed into the scheme is, thus, essential to the quality of the layout. This must be preserved and developed, however the phasing of the development occurs. It is in fact unclear whether this space forms part of phase one, or not. It *must* be part of phase one, be landscaped fully before occupation of the flats is permitted, and thereafter accessible to all residents on site (phases 1 and 2). An open space such as this is a convenient place for construction site activities; it must never become this, even temporarily.

3) 17-25 Kidderpore Avenue

We note these fine houses are to be refurbished and restored as single houses. We applaud this; they are all listed in your CAS as contributing to CA character. We note that one of them is designated a bat site; we trust this will not delay or endanger their restoration as a group.

4) The Hampstead School of Art

We note, and applaud, the proposal to construct a new building for the School, who will be displaced by the development. We assume that this will be at the expense of the developers, although we cannot find this specifically confirmed in the documentation. This is the least that the School deserves in these circumstances. We also assume that this will be built before, not after or during, the School's displacement from Kidderpore Avenue.

5) Car parking

We note that a large number of car-parking spaces are planned (84), in a double basement accessed from Kidderpore Avenue. We regard this large amount of off street parking as unnecessary. It is also contrary to Camden policies on the discouragement of car use/reduction of carbon emissions. The site is accessed by good public transport in Finchley Road, and not far from rail and underground stations. In our view the site should be designated as car-free, with disabled on-site parking only, and associated restrictions on residents parking permits.

6) Continued involvement of architects

The new designs by architects Allies and Morrison are integral with the development's quality. It is essential that they continue to be involved

throughout both phases 1 and 2, so that attention to design detail is assured. The current insidious practice of commissioning a good architect to get a good Planning permission, then firing him and replacing him with a cheap complaisant hack firm must be resisted. We would want to see this conditioned into any permission granted. Unless these matters are addressed fully, with the necessary revisions and clarifications documented, we must call for refusal.

4.8 The Hampstead School of Art: SUPPORT

- Barratt Homes and KCL have listened to our concerns and we have worked together to design a better building for the schools permanent home, which will better serve our established community and also provide opportunities to the New in-coming community.
- We support the current planning application which offers HSoA a unique opportunity to establish a permanent home, and plan its continuing future with its established community who rely on the school for learning, personal development and daily human needs.
- The inclusion of and commitment to Hampstead School of Art by the developers should go some way to address concerns regarding maintaining the culture of the area.
- The new households proposed will benefit directly from the richness of the incorporation of new school premises offered by Barratt Homes on the site and the company are to be congratulated for their vision and the creative investment in the local community.
- The School's incorporation in the planning application avoids a 'new estate' feel to development, as the historic School will be at the centre/heart of the development offering a unique and inspiring addition to this part of Hampstead.
- The National Planning Policy Framework and Camden's Local Development Framework (LDF) states that there should be a wide choice of high quality homes to meet people's needs; this development would help to meet the demand for such housing and in addition offers a Fine Art Centre of excellent repute for local people, a Charity with huge experience of serving the community.
- Historic Hampstead deserves a sympathetic and well planned development and HSoA believe that the plans prepared by Barratt Homes, with their appointed architects Allies and Morrison, are well considered and successfully incorporate elements of the local character.
- 500 Feedback forms are an indication of the support the school has and how embedded- 'like a home', it is in the community and how much its affordability is appreciated.

4.8 The Twentieth Century Society: NO RESPONSE TO DATE

Neighbouring Occupiers

<i>Number of letters sent</i>	429
<i>Total number of responses received</i>	22

<i>Number in support</i>	200*
<i>Number of objections</i>	24
<i>Number of general comment</i>	2

*Petition style letters individually composed, but on same headed paper denoting the Hampstead School of Art

4.9 **Public consultation**

Before the representations received are discussed, it is important to note that rounds of pre-application public consultation were carried out by the Council and the applicant. This included a well attended (24 people) Development Management Forum chaired by Camden officers on the evening of 28 February 2012 in the Hampstead Synagogue. The applicant also undertook three public exhibitions during 2012, first on 23, 25 February, second on 9, 11 June and third on 7, 10 November. All of these were attended by over 60 local residents. Numerous meetings were held with RedFrog Association and CAAC throughout 2012 and 2013, both before and after submission. Officers consider this to be a rigorous exercise in consultation with the local community.

4.10 Further to the above, and following submission of the application, the Council posted an advert in the Ham & High newspaper on 21 February 2013 and displayed five site notices close to the site from 13 February to 6 March 2013.

4.11 **Objection summary**

Objection letters were received from the following 24 separate addresses: Westfield flats 5, 16, 29, 40, 47, 59, 60, 90, 100 and 103; Rosecroft Avenue no.s 26 and 28; Platt's Lane no.s 11, 31 and 33; 79 Flat C Mildmay Grove North; 12A Hollycroft Avenue; 110 Frogna; 15 Ferncroft Avenue; Flat 2, 9 Templewood Avenue; Flat 6, 10 Oakhill Avenue; 75 Hamilton Terrace; 95 Reddington Road and 12 Weech Road.

The concerns of the objectors are summarised below:

Residential amenity

- The density of housing is too high on the site and is overdevelopment.
- Excessive density occurs from the conversion of the Skeel Library and this should be re-visited.
- Flats are too cramped and small for modern living.
- Luxury houses, similar to Westfield, would be more appropriate as opposed to flats.
- Insufficient space for refuse bins for residents.
- The balconies on the Skeel Library will overlook the residents of Westfield, affecting their privacy.
- There will be unacceptable noise pollution from the development.

Urban design

- Unacceptable to allow deterioration of houses in a conservation area to the point of justifying their demolition.

- Strong objection to the loss of Edwardian houses along Finchley Road.
- Blocks L and M on Kidderpore Avenue are massive in scale and should be reduced. They are closer to the pavement than other buildings along the Avenue.
- The stark white bay windows blocks L and M are totally out of keeping with those being preserved up the hill and with others in the conservation area.
- The area will lose its sustainable sense of place.
- The development would conflict with the character of this long established part of the RedFrog Conservation Area.
- Design of building's on Platt's Lane and Finchley Road are too large and lack any architectural merit.
- The gaps between the Finchley Road block is insufficient and will give the appearance of one large block.
- Block K is inappropriate, and more suitable for a main road. Its design is stark, ugly, aggressive and detrimental to the conservation area.
- The building along Platt's Lane again destroys green space by being placed virtually alongside the pavement, and will dominate Platt's Lane. It needs to be set much further back with green space adjoining the pavement as now.

Uses

- The balance of social, cultural, educational and commercial life would be disrupted.
- The loss of student accommodation is contrary to policy, in an area of Camden where there is demand.
- Planning permission must not be granted until the short and long term future of the Hampstead School of Art is secured.

Highways and transport

- 84 car-parking spaces will result in unacceptable traffic movement on the residential Kidderpore Avenue and dangerous turning onto Finchley Road.
- Kidderpore Avenue or Platt's Lane must not be used for construction vehicles.
- Only 31 car parking spaces in phase 1 are not enough for 75 flats proposed.
- Kidderpore Avenue is already too congested and dangerous for two-way traffic.
- The children of the St Luke's School would be at danger from additional traffic.
- Too many cycle parking spaces and not enough car parking spaces.
- Currently the Art School students take up all the on-street parking.

Open space

- The 2,724sqm is an inadequate provision of open space for the large number of new residents.
- The development would reduce public access to green space.
- Public green space is being unnecessarily lost by enclosing gardens with only private access. While this may be a conventional method to help sell flats, it is unfortunate to separate the public and private to the detriment of the public (like the gardens of the Westfield development).

Nature issues

- The site's importance as a green corridor for wildlife will be harmed.
- Hampstead is regrettably losing mature trees and birds at an alarming rate in direct contravention of planning policies.
- There is a risk occupants will gravel over their private green garden spaces.
- The 17 mature and healthy trees to be lost have at least 10 years life expectancy.
- The existing green lung on the site would be lost to the detriment of air quality.
- The large basement excavation will affect the ground water regime.
- No strategy for preserving the bat or insect habitat.
- There should be strict conditions to ensure all the recommendations of ecology officers are implemented.
- Block K will destroy many of the trees on this corner, and the beauty of this prominent corner will be lost.

Two phase approach

- The two phase approach is not credible with phase 2 lacking an adequate construction management plan in particular.
- There is no guarantee that KCL will follow the current plans, nor that they will not later sell the land on.
- The two phase development poses a risk of phase 2 being re-considered later for a new separate high density development.
- There must be control for one single density for the whole site.
- The open space in phase 2 must be available for phase 1 residents, and never used as an area for construction activity/storage.
- If planning is granted for Phase 1 and Phase 2, will that set a precedent for the eventual sale and redevelopment of the much larger KCL North campus?

4.12 **Support summary**

A petition of 200 support letters was received from the Principal of the Hampstead School of Art. The letters are from both students of the school and local people who live in the area. The key themes are:

- It is an important community facility in the local area.
- The use added to the mix, vitality and character of the area in keeping with its history.
- It's welcomed that the developer would now secure a long term purpose built home for the school.

5. **POLICIES**

5.1 Set out below are the policy documents (including a list of relevant Council policies) that the proposals have been assessed against. However, it should be noted that recommendations are based on assessment of the proposals against the development plans taken as a whole together with other material considerations.

5.2 **National and Regional Policy**

National Planning Policy Framework 2012
London Plan 2011

LDF Core Strategy and Development Policies 2010

CS1 – distribution of growth
CS4 – areas of more limited change
CS5 – managing impact of growth
CS6 – providing quality homes
CS10 – supporting community facilities and services
CS11- sustainable travel
CS13 – tackling climate change
CS14 – high quality places and conserving heritage
CS15 – parks, open spaces and biodiversity
CS16 – health and wellbeing
CS17 – safer places
CS18 – waste and recycling
CS19 – delivering and monitoring the Core Strategy

DP2 – making full use of housing capacity
DP3 – contributions to the supply of affordable housing
DP5 – homes of different sizes
DP6 - lifetime homes and wheelchair homes
DP9 – student housing, bedsits and other housing with shared facilities
DP15 – community and leisure uses
DP16 – transport implications of development
DP17- walking, cycling and public transport
DP18 – parking standards
DP19 – managing the impact of parking
DP20 – movement of goods and materials
DP21 - highway network
DP22 – promoting sustainable design and construction
DP23 - water
DP24 – high quality design
DP25 – conserving Camden’s heritage
DP26 – impact on occupiers and neighbours
DP27 - basements
DP28 – noise and vibration
DP29 – improving access
DP31 – open space and outdoor recreation
DP32 – air quality and clear zone

Supplementary Planning Policies

Camden Planning Guidance (CPG) 2011 (as amended)

- CPG 1 – Design
- CPG 2 – Housing
- CPG3 – Sustainability
- CPG 4 – Basements and lightwells
- CPG 5 - Town centres, retail and employment
- CPG 6 – Amenity
- CPG 7 – Transport
- CPG 8 – Planning obligations
- Redington Froggnal Conservation Area Statement 2000

- Camden Steetscape Manual (2005)

Other material considerations

5.3 Other strategies include The Camden Plan, Camden Air Quality Action Plan, and Camden Biodiversity Action Plan.

6. ASSESSMENT

6.1 The principal considerations material to the determination of this application:

- **Land use principles** (see section 6.2)
- **Replacement community facility** (section 6.9)
- **Housing** (section 6.11)
- **Conservation & urban design** (section 6.38)
- **Public open spaces & children's play space** (section 6.74)
- **Trees and habitat** (section 6.80)
- **Neighbouring amenity** (section 6.93)
- **Transport, construction management, servicing & refuse** (section 6.101)
- **Basements** (section 6.147)
- **Crime prevention by design** (section 6.154)
- **Sustainability & climate change** (section 6.155)
- **Noise & air quality** (section 6.166)
- **Planning obligations and community benefits** (section 6.170)

Land use principles

6.2 As detailed within the site description and history sections above, the phase 1 part of the site is mainly comprised by vacant buildings, which, between the late 1960s and late 2000s, were occupied by a mix of educational, administrative and student residency in association with Kings College London (KCL). The phase 1 part of the site was sold by KCL to Barratt West London (BWL) in 2006, when the facilities became redundant to KCL's operation. When considering the future of unused and underused land and redundant buildings, policies CS6 and DP2 are most relevant. They both state that new housing is the 'top priority land use'. As such BWL's proposal for a residential led development on phase 1 part of the site is fully compliant with the Council's policies CS6 and DP2. The principle of new housing in place of the now redundant institutional buildings is fully supported.

6.3 The only building still occupied within phase 1 is 19 and 21 Kidderpore Avenue, by a community facility known as the Hampstead School of Art (not associated with KCL). The replacement of this community facility will be discussed separately.

Loss of student housing

6.4 Unlike phase 1, the phase 2 land is still owned by KCL and currently comprises a 1960s student block that is occupied by up to 214 students. It is

proposed that this block be demolished and redeveloped for housing. However policy DP9 states that the Council will resist the net loss of student accommodation unless:

(k) adequate replacement student accommodation is provided in a location accessible to the higher education institutions that it serves; or

(l) the student accommodation is no longer required, and it can be demonstrated that there is no local demand for the Student Accommodation to serve another higher education institution based in Camden or adjoining boroughs.

- 6.5 Consequently before the phase 2 works can commence KCL must address DP9 part (k) or (l). To that effect, KCL have already confirmed in writing that new student accommodation will be built closer to their operating campuses at Denmark Hill (London SE5) and Canada Water (application currently with Southwark Council, and only 2 stops from KCL's Guy's campus). These locations are sustainable and practical for KCL's students given that they are significantly closer to KCL's current campus activities in south London. The current population of KCL students on the application site are far removed from their educational activities in the south London campuses, and therefore in principal the loss of the student accommodation on this site and replacement in south London can be accepted in accordance with DP9 (k). Consequently, it is entirely reasonable for officers to secure evidence of this replacement accommodation being made available for occupation prior to phase 2 works commencing. This shall be secured through a s106 agreement. In compliance with DP9 (k) there will be no net loss of accommodation for students that attend a KCL higher education institution in London, and therefore the land would be free to be redeveloped as permanent housing floorspace in accordance with policies CS6 and DP2.

The two-phased approach

- 6.6 In land use terms the complete redevelopment of the site (phase 1 and 2) for housing is fully supported subject to KCL meeting policy DP9, the Art School being replaced by BWL and a meaningful amount of the central open space on phase 2 land being available for the phase 1 occupiers. However, there is concern amongst the local community that the two-phased approach may result in an unacceptable delay between the completions of phase 1 and phase 2. Residents are particularly concerned by potentially having to endure longer construction disruption and overlooking a half demolished site within the conservation area. In response to these concerns officers can confirm that the phasing will be robustly controlled.
- 6.7 Firstly, the standard 3-year commencement condition will be attached to the full permission. Secondly, as the site is within a conservation area, conservation area consent is required and this necessitates the standard condition requiring a developer to enter into a legal contract with a builder prior to any demolition taking place on site. A separate condition will apply to each phase, so that even if a contract for phase 1 is agreed and this part of the development completed, the existing student block on phase 2 can not be

demolished until a redevelopment contract is entered into. This is common practice in Camden, and appropriate for this site in two separate ownerships. This will ensure that the phase 2 land does not become an unattractive vacant development site within the conservation area for any unreasonable period of time.

- 6.8 The only other alternative (as opposed to this collaborative two-phased approach under a single planning application) would have been to have two separate planning applications on a large site that naturally reads as one. This disjointed approach would likely negatively lead to an ad hoc and piecemeal development on a sensitive site with a conservation area and would fail to achieve an optimum development across the site. Moreover, two different architects may have been employed and less affordable housing secured overall. As such, officers are strongly in favour of the collaborative two-phased approach, and appropriate conditions and obligations will be secured so that the site is developed in a holistic way with as little disruption to residents as possible. Finally, it is important to note, should phase 1 be developed in a much faster timescale, its occupation by residents would sit comfortably next to the existing student accommodation in phase 2. Moreover, a large part of the open space that currently sits within phase 2 land, would also be available for the phase 1 residents and existing students alike. Open space will be discussed in greater detail later in the report.

Replacement community facility

- 6.9 Within phase 1, numbers 19 and 21 Kidderpore Avenue are currently occupied by a community facility (Class D1) known as the Hampstead School of Art. This is a privately funded art school that is attended by approximately 830 students that live within a 500m radius, and is attended by approximately 3,000 students within a 3 mile radius. The school also runs six community outreach programs including the Seven Dials Community Art Group in Covent Garden, which meets every Tuesday for the elderly and disabled, and works alongside the Westminster Drug Project with workshops helping the recently rehabilitated back into work through art. This is undoubtedly an important community facility, both locally and wider, that is protected by policy DP15.
- 6.10 Consequently, BWL have worked closely with the school in designing a new purpose built community facility on the site so its long term future is secured. Officers welcome this commitment, and the replacement facility will be secured in the s106 so that it is made available prior to the vacation of the temporary home that is to be provided by the developer for the school whilst phase 1 is being redeveloped. This will ensure no cessation of the use for any period of time. Importantly, the schools representatives have helped draft the s106 wording so that they are satisfied with the terms agreed, particularly the rent levels for the new building that would be at a rate that is commensurate to other community uses in the locality. The replacement facility fully accords with policy DP15 (c).

Housing

- 6.11 Core Strategy policy CS6 frames housing as the Council's top land use priority, stating that the supply of homes shall be maximised, and in support Development Policy DP2 expects the maximum appropriate contribution to the supply of housing on sites that are underused or vacant, just like the application site. Consequently, the provision of 16,687sqm GEA floorspace (128 new housing units) on this site is strongly supported. This is subject to other factors such as affordable housing provision, mix, density and quality, all of which will be assessed separately below.

Affordable housing

- 6.12 Development Plan policy DP3 expects all residential developments with a capacity for 10 or more additional dwellings to make a contribution to the supply of affordable housing. When negotiating on individual private residential and mixed-use schemes the Council will seek a target of 50% of the total housing floorspace to be affordable. Policy DP3 also recognises factors relating to the individual circumstances of a site taking account of site costs and constraints, the availability of public subsidy, financial viability and other scheme requirements that will affect the scale, nature and location of affordable housing. Where a proposal does not meet the affordable housing target submission of a financial viability appraisal will be required to justify the lower proportion proposed.

The affordable housing offer

- 6.13 This application proposes 128 residential flats (16,687sqm GEA) including a mix of market, social rent and shared ownership. The policy DP3 requirement would require 50% of the proposed residential floorspace to be affordable, which equates to 8,343.5sqm. However, of the 128 units proposed, 35 will comprise affordable housing (4,005sqm). Although this would be 27% affordable housing by unit number, policy requires affordable housing provision to be calculated with reference to the residential floorspace provided. In this instance the scheme will provide for 24% affordable housing. In this circumstances whereby the 50% policy target is not met, a full financial viability appraisal has been provided and the details of this will be discussed later.

Tenure split

- 6.14 Core Strategy policy CS6 targets 60% of affordable housing to be for social rent and 40% to be intermediate provision, and the promotion of mixed and inclusive communities. The 35 affordable homes are comprised by 20 social rent units (6 x 2-bed and 14 x 3-bed) and 15 intermediate units (13 x 1-bed and 2 x 2-bed). In floorspace this creates 2,683qm social rent and 1,322sqm shared ownership which is a 67:33 tenure split. Although not fully in line with policy CS6, the moderately higher provision of social rent can be supported in an area of the borough where there is very limited supply of such housing.

Location of affordable housing

- 6.15 The 35 units would be spread across both phases of the development, which is welcomed.
- Phase 1: 22 units (29% of Phase 1 development by unit) would be in new blocks G (13 units) and H (9 units).

- Phase 2: 13 units (25% of Phase 2 development by unit) would be in new blocks J (9 units) and K (4 units).
- 6.16 It is supported that a higher proportion of units would be delivered first under phase 1. The affordable housing has also been designed to be tenure blind i.e. the external appearance of the affordable housing elements are of the same quality as the market housing. The affordable blocks would also back onto the large communal open space at the centre of the site. The Council's Housing Partnerships Team supports the proposed mix, location and residential quality/amenity of all 35 affordable dwellings.

Financial viability

- 6.17 In accordance with policy DP3 a financial viability appraisal (hereafter 'the appraisal') accompanied the application to justify the provision of affordable housing, which at 24%, is below the policy target of 50%. The appraisal has been prepared in line with the Royal Institute of Chartered Surveyors (RICS) valuation guidance, which is commonly accepted model for appraising housing developments in London.
- 6.18 The appraisal included two scenarios (by unit) to demonstrate what would be financially viable on the site:
1. 27% offer with a 67:33 tenure split
 2. 17% offer with a 41:59 tenure split

The appraisal concluded that scenario one would produce a negative residual of £5.2m against the site's Existing Use Value (EUV) which would fall short of a viable scheme. Scenario two would also produce a negative figure of £1.3m against the EUV. Despite these deficit figures, in this particular instance the applicant sought to make a greater up-front contribution towards affordable housing delivery on-site by pursuing scenario one, thereby forecasting that sales value growth would continue to improve in the borough.

- 6.19 Officers welcome this approach from the applicant, as it provides the opportunity to deliver more affordable housing onsite. The alternative would be to reduce the onsite offer now to make a viable scheme, and the Council would instead gain a greater deferred payment at some point in the future to reflect the likely increase in sales values. So although the proposal may not be technically viable now, it is significantly likely that it will be once all private units are sold, with the generation of a surplus also a strong possibility.
- 6.20 In order to confidently assess the evidence and conclusions of the scenario being pursued, it was necessary for the Council to instruct an independent financial assessor to robustly scrutinise and review the appraisal. In this regard BPS Surveyors undertook an in-depth review of the appraisal which was supplemented by additional evidence and sensitivity information from the applicant at BPS request. Officers also required BPS to give particular scrutiny to the EUV, which required meetings with representatives of the applicant. As such officers can confirm that BPS's independent Report

findings, with addendums, comprise a comprehensive and detailed assessment of the applicant's appraisal.

- 6.21 The BPS Report confirms that the EUV and residential sales figures were reasonable at this current point in time. However with a scarcity of modern comparable developments in this part of the borough, it was acknowledged that there is definitely clear scope for higher sales values to be achieved, particularly in block D (refurbished library) where flats are afforded excellent views over London not achieved elsewhere in the locality. So although technically unviable at present, this uncertainty makes a strong case for a future re-appraisal of the development in line with the Council's adopted approach. The build costs of the development were considered to be just over £1m too high, but this does not affect the level of affordable housing offer given that it would only reduce the deficit from £5.2m to approximately £4.2m.
- 6.22 In summary, the 24% offer by floorspace, although technically unviable at this moment in time, should be accepted subject to securing a deferred payment clause in the s106. This would capture any surplus that may be generated once the scheme is completed. The mechanics of this payment shall be discussed separately below.

Deferred affordable housing contribution

- 6.23 Although the BPS Report is satisfied with the additional up-front onsite offer, the Report also acknowledges that the appraisal variables are based only on a snapshot in time and that small variations to the build costs and sales values for example, could have a positive effect in significantly increasing the residual value and hence scheme viability. Accordingly officers request that permission should only be granted on the basis that the scheme's viability be re-appraised at a later stage. In the event that the viability improves to an extent that the development could bear the costs of more affordable housing and yet still yield the standard developer profit (i.e. the current negative residual becomes a positive when compared to the EUV), the developer would be required make a greater contribution to affordable provision in the borough in the form of a deferred payment to the Council's affordable housing fund.
- 6.24 As the site would be developed in two separate phases, BPS also recommends that a separate re-appraisal occurs for each phase of development. In line with other deferred payment clauses, now secured in all s106 agreements attached to affordable housing schemes, officers recommend that the re-appraisal be undertaken as close as possible to the point of completion of each phase, or once 75% of the market units in each phase have been sold. A re-appraisal of each phase would be secured by s106 legal agreement. In summary the onsite offer, coupled with the securing of deferred payment clauses, would ensure that the schemes maximum contributions towards affordable housing would be captured in line with policy DP3.

Housing mix

6.25 Development Plan policy DP5 expects all residential developments to contribute to the creation of mixed and inclusive communities by securing a range of self-contained homes of different sizes, as set out in the 'Dwelling Size Priorities Table'. The table below sets out the current mix alongside the priorities of the three tenures.

	Social rent	Dwelling size priority	Inter-mediate	Dwelling size priority	Market sale	Dwelling size priority
Aim		50% large		10% large		40% 2-bed
1 bed	0	Lower	13	Medium	15	Lower
2 bed	6	Medium	2	High	38	Very High
3 bed	14	High	0	High	36	Medium
4 bed	0	Very high	0	High	4	Medium
	20		15		93	

6.26 Firstly, with regards to the social rent tenure, 70% of the units would be 3-bed, which significantly exceeds the policy 50% aim and is welcomed. With regards to intermediate housing, there are no large units, however as it is the Council's priority to get larger social rent units; on balance the policy excess social rent can justify a non-compliant intermediate offer. The most significant change in mix occurs in the market provision. There market units mix generally accords with the policy requirements, with less 1-beds and more 2-beds (37% overall). Overall this is a balanced mix for the site, with a higher percentage of units in the 3-bed category that are suitable for larger families, which is welcomed on a site that would have good access to St Luke's Free School, open space and community facilities. Housing Officers support the mix as proposed.

Density

6.27 The site is located a significant distance from the designated Central London part of the borough, though still has an urban character given its frontage to Finchley Road. Moreover, with a Public Transport Accessibility Level (PTAL) of 3, the site should expect a density to range somewhere between 70 - 170 u/ha as outlined under policy 3.4 of the London Plan. A total of 128 flats are proposed, which equates to 131 u/ha on a 0.98 hectare site. This sits comfortably within the density range and is therefore appropriate for the site and surrounding context. The provision of housing on the site has been optimised in line with policy DP2.

Quality of new residential accommodation

6.28 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.

6.29 With regards to dwelling and room sizes, all 128 flats would meet, with many exceeding, the minimum space standards set out in the Mayor of London's Housing SPG. The standards in this guide exceed Camden's own Planning Guidance, for example Camden requires 48sqm for a 2 person flat, whereas

the SPG is 50sqm. The application of the SPG is welcomed. All flats would also have usable layouts to maximise functionality and liveability for future occupiers.

Outlook and enclosure

- 6.30 In terms of outlook, 107 of the 128 units would enjoy dual aspect, equating to 84% which is higher than what is usually achieved. None of the 21 single aspect flats would be directly north-facing, and only 4 would face onto Finchley Road. Concerns were raised at pre-application stage in regards to the retained 17a-25 Kidderpore Avenue experiencing a harmful sense of enclosure by virtue of the large library also being retained, sited between 9-13m south of these buildings. However, all these units would enjoy dual aspect, comfortably exceed minimum space standards and overlook a high quality landscaping scheme. Coupled with this, to further reduce the sense of enclosure, the library's north elevation bulk has been cutback by (2m in plan and 2m in height) at level 5. Moreover, the additional storey on the library is set back from the original north elevation, so that it has no impact on the Kidderpore Avenue buildings. In this respect, officers are fully satisfied that the 17a-25 Kidderpore Avenue units would present a good level of amenity. Overall, the scheme offers a high quality outlook to prospective residents.

Privacy

- 6.31 Generally all new flats would achieve high levels of privacy, apart from two relationships that result in a distance less than the 18m guidance for separation between habitable room windows of flats that directly face each other. Namely the rear elevation of blocks J and L are closest to each other at a distance of 11m, and the rear elevation of block K and the flank of block L at 9m. Although these distances are not ideal, this is a rare occurrence in the overall context of the scheme, moreover separation distances of this nature are commonly found in historic and modern residential developments in urban areas of London, like this. No overlooking would occur between the retained Kidderpore Avenue and library buildings, as new windows serving the library would contain vertical louvres.

Daylight and sunlight

- 6.32 The application includes an independent Daylight and Sunlight Report by Anstey Horne, which has been carried out in line with the BRE's Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2011 as amended). New habitable rooms to be provided in the converted 17a (block C), 19-21 (block B), 23 (block A2) and 25 Kidderpore Avenue (block A1) and the library (block D) have been tested for daylight and sunlight, given that it is these blocks that have the closest relationship in the overall development. The remainder of the development, to comprise newly built blocks F, G, H and J (all Finchley Road), block K (Platt's Lane) and blocks L and M (Kidderpore Avenue) have not been tested as there is greater space between all these blocks to ensure that levels would be comfortably exceeded. This would be proven by virtue of the retained blocks passing the relevant tests. The tested blocks are discussed below.

Daylight

- 6.33 It was particularly important that the retained Kidderpore Avenue blocks (A1, A2, B and C) were tested, as these 2-3 storey buildings are in the shadow of the 7 storey library building (block D). Of the 17 habitable rooms tested (at two lowest levels) all exceeded the BRE recommended Average Daylight Factor (ADF) levels apart from a kitchen/diner in block A2, which achieved 1.85% ADF. This is only a minor transgression from the required 2%. For block D itself, the habitable rooms on the two lowest floors were tested and all 17 passed apart from a kitchen/diner on the lowest floor to the western elevation that would achieve 1.56%. Again, only one room out this entire building of 30 flats can be accepted.

Sunlight

- 6.34 In sunlight terms, all windows facing within 90 degrees due south have been assessed for their Annual Probable Sunlight Hours (APSH). For blocks A1 and A2, the rooms all receive levels in excess of the summer 25% APSH target, apart from a kitchen and bedroom in A2 that records 13% and 17% respectively. For the winter 5% APSH target these rooms also fail, plus two rooms in block A1, although this is marginal 3% APSH. For block B, all rooms tested comfortably exceed winter target, with four failing the summer target. These failings are caused by the larger library building being retained (block D), but are not considered to be a significant failing in respect of the overall scheme, especially as it is an existing built relationship and the library's retention and re-use is supported in terms of sustainability and its significant contribution to new housing. All rooms tested in blocks C and D pass the APSH.
- 6.35 In summary, overall the scheme would provide a high proportion of flats that would achieve a good level of outlook, privacy, daylight and sunlight. This has been appropriately demonstrated by the testing of the blocks to be retained on the site, and by virtue of 84% of flats being dual aspect.

Private amenity space

- 6.36 All 128 of the units proposed would enjoy a private balcony or garden, save one unit in block A2 and two units in block B. This is an exceptionally high proportion at 98% that is welcomed, particularly as the scheme presents a high proportion of family sized units. This private space equates to 2,264.5sqm in phase 1 and 1,503.5sqm in phase 2. Residential access to communal open space is discussed under the open space section of this report.

Lifetime Homes

- 6.37 Development Policy DP6 requires all housing development to meet lifetime homes standards and for 10% of homes to meet wheelchair accessible standards, or be easily adapted to meet them. In the new build all 16 of the standards will be achieved, whilst the conversion units will meet them as far as practically possible. A total of 14 units (11%) would be fully wheelchair accessible, 10 in the private and 4 in the affordable tenure. The proposal complies with policy DP6.

Conservation and urban design

- 6.38 The form and appearance of new development, its layout and relationship to its surroundings are important considerations for planning proposals in Camden. Pursuant to Core Strategy policy CS14 and Development Policies DP24 and DP25 all new development should be of the highest standard of design, respect local context and character and preserve and enhance Camden's heritage assets.

Context

- 6.39 The site is within the Redington/Froggnal Conservation Area, which is predominantly residential and characterised by well preserved substantial detached and semi detached Victorian and Edwardian properties. A large proportion of these were developed by Quennell and Hart in a variety of styles, from restrained Arts and Crafts to neo-Georgian. In the immediate site vicinity are several listed buildings of high significance – referred to in the Conservation Area Statement (CAS) (p8) as “...probably the most impressive group of buildings in the Conservation Area”, and include Annesley Lodge (II*) by Voysey on the north side of Kidderpore Avenue, St Luke's Church (II*) and adjoining vicarage (II) by Basil Champneys and Kidderpore Hall (II).

The site contains the following buildings:

- 6.40 17a Kidderpore Avenue: An early 20th Century two storey coach house, constructed of brick with a gable and dentil detailing to the front elevation. The building is not formally identified in the CAS as making a positive contribution to the character and appearance of the conservation area, however, its diminutive scale and red brick construction are considered attractive.
- 6.41 19, 21, 23 and 25 Kidderpore Avenue: Nos. 19 and 21 are a semi detached pair of houses and nos. 23 and 25 are detached properties. The buildings date from the late 19th Century in an Arts and Crafts style and are characterised by their red brick construction, sweeping clay tile clad roof slopes, tile hung elevations and prominent chimney stacks. The buildings are identified as making a positive contribution to the character and appearance of the conservation area.
- 6.42 Caroline Skeel library: This is a substantial and imposing 6/7 storey building constructed between 1968 and 1972. It is rectilinear in form with a flat roof and bands of irregular fenestration. Various plant and telecommunications equipment is visible on the roof. The building is located immediately to the rear of 21-25 Kidderpore Avenue, encroaching upon what would have been their traditional rear garden areas. The uppermost parts of the building appear above the roofscape of the houses on Kidderpore Avenue, with its northwest elevation visible in oblique views down the site's service access road. Nonetheless, the CAS (p14) concludes that “Despite the bulk of this large, red brick building, it is largely hidden from view from both roads.” Perhaps because of this assessment, the building is not formally identified as making a negative contribution to the character and appearance of the

conservation area. However, its siting, form, scale and detailed design are certainly inconsistent with surrounding pattern of development.

6.43 328-338 Finchley Road: This group consists of three semi detached pairs of houses, of which 328-330 and 332-334 are identified as positive contributors in the conservation area. These date from the early 20th Century and are of brick, with roughcast elevations at 1st floor level, red clay tile hipped roofs, shallow canted bays and wide dormers. The buildings are modest, with a muted arts and crafts character, and are currently vacant and in a very poor state of repair.

6.44 Student housing block: This 'C' shaped block was constructed at a similar time to the library and is of 4 storeys, constructed in red brick, with wide bands of fenestration. The building is identified as making a negative contribution to the character and appearance of the conservation area.

Demolition

6.45 Student block: This building is not considered to be sympathetic to the prevailing scale, form and character within the conservation area as a result of their bulk, orientation, relationship with the street and their generally poor architectural quality. The loss of these buildings is considered acceptable.

6.46 328-338 Finchley Road: Whilst nos. 328-330 and 332-334 are identified as positive contributors, nos. 336-338 are not formally identified. However, this is more likely to be an error in the CAS than a true assessment of their character as nos. 336-338 are identical to their neighbours at nos. 332-334.

6.47 The CAS (p14) outlines that *"Nos. 302-338 Finchley Road are in some respects disconnected from the rest of the Conservation Area. Whilst many of these buildings are, or have been, part of the College campus, the character of this part of Finchley Road is at odds with the quiet, green nature of Kidderpore Avenue..."*. Officers acknowledge that the buildings do have some interest however they are not dissimilar to other suburban housing stock in terms of their general form and profile, and share detailed design characteristics with other houses outside the conservation area boundary – nos. 328-330 are perhaps the most unusual of the group with a central gable and paired entrance doors. Furthermore, the setting of the buildings and their residential character and arts and crafts significance has been severely compromised by the widening of Finchley Road in the post WWII period and the consequent heavy traffic and poor environmental quality. Given these factors, the positive contribution of the buildings can be considered as marginal at best.

6.48 The NPPF paragraph 138 cites *"Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or... should be treated as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area... as a whole."* In this case the proposed demolition of the buildings is considered less than substantial harm.

- 6.49 Paragraph 134 of the NPPF outlines that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*
- 6.50 Policy DP25 of the LDF is clear that the Council will prevent the loss of buildings that make a positive contribution *“...unless exceptional circumstances are shown that outweigh the case for retention.”* Replacement buildings should enhance the conservation area to an appreciably greater extent than the existing building.
- 6.51 The proposed demolition of the Finchley Road buildings would allow the development of this part of the site to a larger scale that is more appropriate to its location and where it responds much better to the Finchley Road context.
- 6.52 The CAS refers to the committee report which supported the extension of the conservation area to include the Kings College site. This indicated that the Finchley Road houses were principally included so as to safeguard the open space at the centre of the campus site and to ensure that future proposals would preserve and enhance the conservation area. Therefore, not for their architectural or historic significance. Moreover, the dislocated relationship of these buildings with the wider conservation area, their denuded setting and their modest architectural character, comfortably justifies their loss when compared with the public benefits of the replacement scheme (achieving an optimum housing density and contributions to much needed affordable housing) and its overall planning and conservation merits. The proposed replacement buildings (see below for their detailed assessment) are considered to be a high quality and responsive addition to the street scene and are considered to preserve and enhance the character and appearance of the conservation area in compliance with policy DP25.

Redevelopment Proposals

- 6.53 The NPPF paragraph 137 is clear in requiring that *“Local planning authorities should look for opportunities for new development within Conservation Areas and... within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”* Given the size of the site and the varying character of the streets that bound it, several different approaches have been taken so as to ensure that the overall scheme responds to each immediate context.
- 6.54 Policy DP24 is particularly relevant here, requiring the Council to consider a range of criteria so as to ensure that all developments will be of the highest standard of design. Policy DP25 also requires that development within conservation areas preserves and enhances their character and appearance.
- 6.55 Kidderpore Avenue: The replacement buildings take the form of a large pair of semi-detached properties. The buildings are setback from the pavement, with

a slight stagger to take account of the curve of Kidderpore Avenue. The buildings are 4 storeys in height, with the uppermost storey contained within the roofspace. The eaves height of block M is comparable with that of no.25 however the bulk and scale of the blocks is not out of keeping with other substantial residential properties within the conservation area.

- 6.56 The buildings are contemporary in their overall design, but with contextual references such as red brick, clay roof tiles, visible chimneystacks, dormers and timber windows. The front boundary is defined by a low brick wall, with a hedge above it, which is considered to relate well to prevailing forms. The detailed design of the buildings was the subject of extensive pre-application discussion and it is still disappointing that the architects have not responded to officers' suggestions about the incorporation of hipped roof forms (the side elevation of block M remains rather bulky) or a more pronounced reduction in height between block L and M to take account of the falling gradient. Nonetheless, the large gables on the front elevation do have some parallels with nos.19-21 and no.23 and would not appear unduly dominant. Furthermore, the relationship between the new development and no.25, and the introduction of a stepped form of separate buildings is still a vast improvement over the current rectilinear student blocks.
- 6.57 The existing service road entrance from Kidderpore Avenue is currently extremely unattractive with an expanse of low quality hard landscaping and visual clutter, offering views of the uncompromising bulk of the library block. Block M and an improved flank wall to no.25 (see below) will better frame views into the site, along with upgraded hard and soft landscaping, to enhance this part of the conservation area.
- 6.58 The conservation and design officer is satisfied that buildings represent a high quality addition to the Kidderpore Avenue street scene, significantly enhancing the character and appearance of the conservation area when compared with the existing student housing blocks.
- 6.59 Library building: It is proposed to retain the library building and strip it back to its superstructure, remodelling and re-cladding it for residential use. A roof extension is to be added which occupies approximately two thirds of the footprint of the building. The northwest and southeast elevations are to be more open in character, with projecting balconies and generous fenestration. The northeast and southwest elevations are significantly more solid, with metal louvres and sliding metal panels across the windows so as to prevent overlooking between the retained houses on Kidderpore Avenue, and to a lesser degree the houses on Finchley Road. The northeast elevation of the building is also to be cutback at 6th floor level where it faces the rear of the retained houses on Kidderpore Avenue to allow more sun/daylight and better outlook to the buildings that will become residential in use, and improving their amenity generally.
- 6.60 The retention of the library building has been discussed in great detail at pre-application stage. Officers initially felt that there was an opportunity to remove a building that failed to make a positive contribution to the character and

appearance of the conservation area, and a building that encroached upon the traditional curtilage and setting of the houses on Kidderpore Avenue. However, significant weight has been given to the issues of embodied energy in the existing building and the inherent lack of sustainability in demolishing such a substantial concrete framed building that is easily capable of conversion to provide high quality housing, which is the Council's land use priority. Also, the conversion into housing makes an optimal use of the site and the site has a large area of open space that can cater for the increase in residents. Furthermore, although the building is unsympathetic in terms of its bulk, design and position, this is not readily appreciable from outside the site, largely due to its topography. As such, the building was not considered to exert the same negative influence as the student housing blocks fronting Kidderpore Avenue which do have a significant impact on the immediate townscape.

- 6.61 Now that proposals for the library re-cladding are fully worked up, officers are satisfied that there will be a substantial improvement in its overall appearance and that the use of contextual red brick will allow the building to blend successfully with surrounding buildings in the glimpse views of it that are available over the rooftops and from access points to the site on Kidderpore Avenue and Finchley Road.
- 6.62 Whilst concerns about the principle of adding additional height to the building were raised in early pre-application discussions, officers are now satisfied that as part of an overall scheme for its remodelling, this extra height will not appear discordant or overly dominant. The roof extension is to be of glass, with metal and etched glass panels, and setback substantially, both for amenity reasons and also to minimise its visual impact. Its recessive appearance has been appropriately demonstrated by the applicant's architects through a number of verified views.
- 6.63 Platt's Lane: Discussions were undertaken at pre-application stage as to the most suitable way of addressing the corner between Platt's Lane and Finchley Road. Initial proposals to insert a 'landmark' building were dismissed in favour of an approach that introduced a space to accommodate and nurture a large specimen tree and created a gap that allows glimpses into the site and of the upgraded open space beyond. This was considered beneficial given the poor environmental quality on Finchley Road and the opportunity to soften the hard edge to the site. The potential for larger trees is also characterful with the conservation area, and this is welcomed.
- 6.64 The proposed building facing Platt's Lane is of 4 storeys (similar to the existing student blocks) and is intended to mediate the relationship between the more urban context of Finchley Road and the quieter, more domestic scale of the streets beyond. The block is of red brick with metal windows, timber panels, balconies to the rear elevation and an expressed metal frame to the front elevation so as to create depth and a layering to the façade.
- 6.65 The development itself is setback behind a low front boundary wall. This then continues (in painted render) towards the sharp corner where Kidderpore

Avenue meets Platt's Lane, rising to three storeys which forms the bulk of a separate 3 bedroom house. The façade then drops to a single storey, wrapping around the corner and becoming a conventional boundary wall.

- 6.66 The applicant suggests that this form of development defines the street frontage with a one off individual house, creating a focal point. The Council's Tree Officer has raised concerns however about the impact of the proposals on the openness of the corner and the likely effect on the mature trees located in this part of the site. The CAS (p11) specifically highlights the street trees and vegetation on Platt's Lane as making a positive contribution to the character and appearance of the conservation area. Officers were concerned that the introduction of such a stark building in this location hard up at the pavement edge would not respect the prevailing character of the area where buildings are setback with generous front gardens. Furthermore, the potential impact on trees would be harmful to the character and appearance of the conservation area. Consequently, the footprint of this building has been amended so it is set back an additional 750mm from the pavement edge to introduce a wider strip of planted, soft landscaping. This goes some way to reducing the visual impact of this element, and would not justify a refusal given the benefits of the overall scheme to the conservation area generally.
- 6.67 Finchley Road: This part of the scheme consists of four blocks, the most southerly pair being connected by a setback link block. The buildings are 4 storeys with a 5th floor accommodated within the roof. The blocks are contemporary in style with simple fenestration and inset balconies. At roof level projecting dormers extend upwards in the same plane as the front elevation and link the building contextually with the pair of residential properties at nos. 324-326 Finchley Road. A simple palette of contemporary materials is proposed, consisting of red brick, metal windows, glass balustrading and a metal standing seam roof.
- 6.68 The proposed buildings are taller and bulkier than those they replace. However, this is considered acceptable given their position on the wide and busy Finchley Road and its more urban context – the Victorian block on the opposite side of Finchley Road at nos. 551-575 is 4 storeys in height rising to 5 storeys in part. Whilst block F is taller than the adjacent Victorian houses at nos. 324-326 it is not considered to dominate given its slightly oblique orientation and the wider gap created by the enhanced pedestrian route through the site from Finchley Road. This new access point is considered beneficial to overall permeability though the area and is an improvement over and above the current narrow and inhospitable pedestrian path. Overall the proposed buildings are considered a high quality and subtle contextual response, incorporating an appropriate increase in scale given their location and immediate environment.
- 6.69 New Hampstead School of Art building: This consists of a three storey garden pavilion of facing brickwork with metal framed glazing and a metal standing seam mono-pitch roof. This is located at the centre of the site, adjacent to the soft landscaped open space. The proposed design is considered appropriate for its location and as a stand alone building, and will provide definition to the

open space as well as animating the main pedestrian axis through the site due to the location of its entrance.

- 6.70 17a-25 Kidderpore Avenue: These buildings are to be retained and converted to large apartments (no.17 will be converted to a single family dwelling). The external fabric of the buildings is to be cleaned and repaired where necessary. The existing pebble dash render to the rear elevations is to be removed and replaced with a breathable hydraulic lime render which is beneficial to the fabric of the building as well as acceptable within the context of the new contemporary setting to the rear of the retained buildings. Fenestration is to be updated and replaced. Whilst the incorporation of double glazing is likely to be acceptable (subject to conditional detail) on the rear and flank elevations, where windows are heavily subdivided (primarily on the front elevations) this may not be possible. Regardless of what is included in the design and access statement, a condition should be secured requiring the submission of a window and door schedule outlining proposals for the repair, retention and replacement of the windows and doors to nos. 17-25.
- 6.71 Some minor demolition is proposed to the rear of nos. 17a and 19-21, involving small scale rear extensions at ground and 1st floor level. These components are not visible from the public realm and their removal allows for the creation of more generously sized rear gardens. The loss of these small elements is not considered to cause harm to the character and appearance of the conservation area
- 6.72 The flank elevation of no.25 is to be re-animated with improvements to the fenestration and the introduction of a balcony at 1st floor level, as well as the relocation of unsightly servicing to its other less exposed flank wall. The dormer in this elevation is to be re-sized and repositioned centrally over the flank entrance, providing headroom to the new internal staircase. This is acceptable in principle but its detailed design would benefit from the incorporation of subdivided fenestration so as to sit more comfortably with surrounding forms, which will be secured by condition.

Conservation and urban design conclusion

- 6.73 In overall terms the scheme is considered contextual and responsive, with selective demolition allowing for new buildings that would preserve and enhance the character and appearance of the Redington/Frogna Conservation Area. Officers are satisfied that retaining and refurbishing the library is the most sustainable solution and its re-cladding and new use as residential would benefit the conservation area. The replacement of the student blocks to buildings of appropriate scale and design is also considered to preserve and enhance the setting of the important group of listed buildings on the north side of Kidderpore Avenue, particularly by providing a more appropriate residential context. The proposal complies with policies CS14, DP24 and DP25.

Public open spaces and children's play space

- 6.74 Core Strategy policy CS15 outlines the strategic need to ensure that the growth in the numbers of residents and visitors in Camden will be supported by increases in public open space provision. Development Policy DP31 sets the strategy on how this open space should be provided, stating that the provision of public open space within a development site is the top priority, with off-site provision second, and it's only in circumstances where it's not practically possible to provide public open spaces on or off-site that the Council would accept the least preferred third option of a financial contribution towards other public open spaces in an area. CPG6 section 11 provides detail on this hierarchy and the formula for calculating contributions.
- 6.75 The site itself is located within a Public Open Space Deficiency area (policy CS15 Map 7), whereby the necessity for public open space provision on this particular site is strengthened significantly, especially given the increase in population proposed. Based upon the CPG6 formula the development would require 2,480sqm of communal open space (phase 1 - 1,499sqm and phase 2 - 981sqm). The table below illustrates a proposal of 1,609sqm communal open across the site. Whilst this is less than the policy requirement, the proposal also includes a significant area of private garden space (1,973sqm) and private balcony space (1,345sqm). This provision can assist in ameliorating the communal space shortfall. Striking the correct balance between open space provision and built footprint is particularly important if the optimum density of new housing is to be achieved. Officers are satisfied that this balance has been met. Any reduction in built footprint, in order to create more open space, would not make a sustainable use of the site.

	Existing sqm	Proposed sqm		Total
	Total	Phase 1	Phase 2	
Communal open space (usable amenity only)	1164	503	1106	1609
Private Garden	N/A	1366	607	1973
Private balcony	N/A	898.5	446.5	1345
Soft landscaping (amenity + biodiverse space)	4065	2696 (inc. 827 living roof)	2318 (inc. 605 living roof)	5014 (inc. 1432 living roof)
Hard landscaping (paths, car parking and access routes etc)	2151	1312	576	1888

- 6.76 As the site would be developed in two separate phases, with a likely time lapse between phase 1 and phase 2, it is important that the delivery of the majority of the communal open space is secured up front so that phase 1 residents are catered for on their occupation. This is made more pertinent by virtue that phase 1 contains the 75 of the 128 units proposed (59%) and the lion's share of the family sized units (35 x 3-bed and 4 x 4-bed). Consequently, despite most of the open space falling within phase 2 land, the majority of this space will be made available from the point of phase 1 occupation and this would be secured by S106. For construction safety reasons it is acknowledged that access to this open space may have to be

partly restricted once the phase 2 development commences, however this can be accepted for an interim period in the knowledge that it will be returned to the entire site residents once phase 2 has also been completed.

- 6.77 Considering that the open space on site would only be available for onsite residents then a full financial contribution towards off-site public open spaces is also justified. Based on the CPG6 formula this equates to £210,469 (phase 1: £130,058 and phase 2: £80,411) to be secured in the s106. The combination of open spaced provision on site and the full financial contributions to public open space off-site in an identified area of deficiency is in full accordance with policy CS15 and DP31.
- 6.78 In addition the open space provision, the development also proposes a permeability route linking Kidderpore Avenue with Finchley Road. This would be pedestrian access only from Finchley Road and both vehicular and pedestrian from Kidderpore Avenue, but would be primarily for the use of pedestrians given the low number of resident cars that would use it. The route would be conditioned to be publically accessible and open at all times. It will benefit from excellent passive surveillance and should be well used by persons using the community facility. The route through the site is welcomed.
- 6.79 In terms of children's play space the methodology set out in the Mayor of London's 'Providing for Children and Young People's Play' SPG (2012), the proposed development would result in a child population of 47.48 (23.49 for Phase 1 and 23.99 for Phase 2) requiring the provision of 474.8sqm of child play space at 10sqm per child. Play will be introduced throughout the central woodland garden both formally and informally, using natural forms and landscape elements combined with more typical items of play equipment and child learning tools. The central landscape deck will be platform for play and informal seating and will create smaller playable spaces along its sides. The play space detail would be approved via the landscaping conditions secured.

Trees and habitat

Trees

- 6.80 Policy CS15 expects new developments to create new and enhanced habitat where possible, and to protect existing trees whilst promoting the provision of new trees and vegetation including additional street trees. The application is accompanied by an Arboricultural Report that was carried out in accordance with the guidance and recommendations of British Standards 5837: (2012) 'Trees in relation to construction'.
- 6.81 This report identified 9 individual trees to be removed for poor quality/short life expectancy and 15 trees to be removed for construction purposes. Out of these 24 trees to be removed, none are identified as being category 'A' trees (high quality) 4 are 'B' tree (moderate quality and value), 13 category 'C' trees (lower quality) trees and 8 category 'U' or 'R' (in a condition whereby existing value would be lost in 10 years) trees.

- 6.82 The Council's Tree Officer was particularly concerned about the loss of category B trees (T28 and T30) in the internal courtyard to accommodate the new School of Art building. The loss of these trees, both False Acacias, will have a negative impact on visual amenity and the canopy loss may impact on bat foraging activity, especially as there is a known roost in 25 Kidderpore Avenue. Consequently, the Tree Officer did seek that both these trees be retained, and the potential for re-siting the community facility was investigated. Re-siting was found not be practically possible. Given the significant local benefits of retaining the Hampstead School of Art on the site in a new purpose built community facility, on balance the loss of these two trees can be accepted subject to replacement planting (to be discussed separately later).
- 6.83 The Tree Officer was also concerned about the some tree removal and works within the Root Protection Areas (RPA) of some visually important trees identified by the applicant to be retained on the Kidderpore Avenue street frontage. T5 would be the only category B tree removed in order to allow a vehicular access to the basement car-parking below blocks L and M. Whilst this is regrettable, this is the only practical location for this access, however to overcome the loss the applicant has slightly reduced the basement area footprint along Kidderpore Avenue so that two large specimen trees (London Plane, Alder, Ginkgo, Oak, Hornbeam, Tulip Tree) can be planted along this frontage. On balance this can be accepted. There are two attractive purple plum trees (T7 and T8) also to be lost, however as these are both category U, it would be unreasonable to seek the retention of these short life expectancy trees when weighed against the overall benefits of the scheme.
- 6.84 Finally, the Tree Officer had concerns about a Beech tree (T1, category B), near the corner of Kidderpore Avenue and Platt's Lane, whereby the proposed rendered element of block would be in the trees RPA. Since this concern was raised, block K has been reduced in footprint and it would be mainly supported decking over this part of the RPA. These revisions, coupled with strict RPA protection conditions should ensure that this tree would not be harmed.
- 6.85 With regards to tree replacement, there would be 50 individual trees planted throughout the site, comprising eight different native species. This includes 16 semi mature trees (up to 5m high), mainly in the central courtyard but also along Kidderpore Avenue and Platt's Lane. These larger native species are welcomed, particularly Oak, however the Tree Officer is satisfied that the exact tree choice will be secured through the standard landscaping condition.
- 6.86 In summary, the removal of the category C and U trees are justified particularly in regards to the overall benefits of the scheme in providing new housing on an underused site, and this must be considered alongside the replacement tree planting that is supported. The loss of two category B trees in the location of the replacement Hampstead School of Art is regrettable; however the local community have made clear to officers their strong aspirations on achieving this facility. Consequently, on balance the loss of

these two trees can be accepted in this instance given the significant community benefits offered by the replacement facility.

Habitat

- 6.87 The site does not form part of any statutory or non-statutory designated nature conservation site, with the Hampstead Cemetery Site of Nature Conservation Importance (Borough Grade I) being the closest at 135m to the southwest. Given the site does contain vacant buildings, trees and grassland it was necessary to survey the ecological value. Accordingly the application was accompanied by a Phase 1 Habitat Survey (November 2011) and a Bat Activity Survey.
- 6.88 The Phase 1 survey identified a protected species being the common pipistrelle (*Pipistrellus pipistrellus*) bat roost at 25 Kidderpore Avenue, and a known bat commuting/foraging habitat, particularly in the south and east of the site. The site was also considered to have high potential to support nesting and foraging birds, although no active nests were identified. Redundant pigeon nests were identified in 328-338 Finchley Road. No reptiles were identified, and the likelihood of occurrence was considered negligible.
- 6.89 The Bat Activity survey methodology followed the Bat Conservation Trust survey guidelines – *Bat Surveys: Good Practise Guidelines 2nd Edition 2012*. Three emergence and re-entry surveys were undertaken for each vacant building on the site (commencing 6 August, 27 August and 3 September 2012). A roost was confirmed at 25 Kidderpore Avenue, with bat foraging activity recorded within the northeast section of the site. The Council's Nature Conservation Officer was satisfied with the methodology and results. Given the presence of bats, the applicant is required to get a European Protected Species Mitigation (EPSM) licence from Natural England prior to any development occurring on the site. An EPSM can only be applied for after a planning permission is given, and the Council must first be satisfied that a planning application complies with three derogation tests outlined in the Conservation of Habitats and Species Regulations 2010.
- 6.90 The first test relates to there being overriding public interests for the development including those of a social, economic or environmental nature. In this regard the scheme provides much needed new housing, including affordable that is the Council's top priority. This meets both economic and social objectives of the NPPF and Local Plan. The second test relates to there being no satisfactory alternative to development, in this case policies support the redevelopment of an underused and mostly vacant site and the alternative would be buildings falling into further disrepair to the detrimental harm of the conservation area and potentially the bat roost. Thirdly, the development must not be detrimental to the maintenance of the population of species concerned (bats in this case). To meet this part of the test the Bat Survey confirms that the roost at 25 Kidderpore Avenue would be protected and other artificial roosts will be provided. Native tree and shrubs would be planted and secured by condition through a landscaping plan. The Nature Conservation Officer is satisfied that the three tests are met, in order for planning permission to be granted and the EPSM license to be subsequently secured by condition.

6.91 A Biodiversity Action Plan has also been provided, which makes numerous recommendations including incorporation of bird and bat boxes, native tree and shrub planting along existing foraging / commuting routes, 1,258sqm living roofs (827sqm phase 1 and 431sqm phase 2), five dead log plies in discrete location and five rain garden schemes. The Nature Conservation Officer also welcomes all these measures and the recommendations of the Biodiversity Action Plan shall be secured by condition. Natural England also raises no objection to the proposal.

Light pollution

6.92 The Biodiversity Action Plan also positively confirms that the impacts of lighting on bats would be fully considered through a lighting scheme designed in collaboration with an ecologist. This would include lighting of no more than 2000 lumens, directed lighting to avoid spillage above the horizontal planes where bats commute and forage. This is welcomed, and a lighting strategy shall be secured by condition.

Neighbouring amenity

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

6.94 The application is accompanied by an independent Daylight and Sunlight Report, which has been carried out in line with the BRE's Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2011 as amended).

6.95 The neighbouring residential properties that could be affected includes: 318-326, 551-575 and 577-583 Finchley Road (mainly flats); 1, 3, 5 and 8 Platt's Lane, 14 Kidderpore Avenue and 1-58 Westfield Kidderpore Avenue (all flats).

Daylight

6.96 A total of 309 windows serving the residential properties forming the above addresses have been assessed under the BRE's Vertical Sky Component (VSC). The VSC is a measurement that represents the amount of available daylight from the sky received at the outside face of any window being tested. The BRE has determined that a VSC figure can be reduced by up to 20% (0.8 of its former value) before the daylight loss is materially noticeable. The BRE regards a VSC value of 27% is to provide a good level of daylight, regardless if a reduction exceeds 20%.

6.97 The VSC test concluded that 303 (98%) of the 309 windows assessed comfortably pass. The 6 that failed were marginally below the 0.8 VSC; 1 window serving 577 and 579 Finchley Road being 0.68 and 0.72 respectively; 4 windows at 1 Platt's Lane ranging between 0.74-0.79 (2 of which serving entrance hallways). The VSC result demonstrates that the development will have a negligible impact on neighbouring daylight.

Sunlight

- 6.98 In terms of sunlight availability, a total 115 rooms had at least one main window orientated to within 90 degrees of due south, and were therefore tested for Annual Probable Sunlight Hours (APSH). None of the windows would suffer any noticeable impact on their APSH, by either generally retaining 25% of APSH annually, 5% APSH in the winter months, not being reduced by over 20% in either period.

Privacy and outlook

- 6.99 By virtue of there being a negligible impact on neighbouring light, this also demonstrates that there would be negligible harm on outlook. Neighbours on Platt's Lane, Kidderpore Avenue and buildings sited south of Finchley Road are all located a sufficient distance (and across a highway route) to ensure their outlook will be maintained. Moreover, the new blocks facing these roads have been carefully considered with regards to their conservative heights and massing in order that they sit comfortably with the surrounding buildings in the conservation area.
- 6.100 The neighbours that could have be most affected are Finchley Road to the south of the refurbished library building, given that the library would now have habitable room windows serving its southern elevation, that was previously blank. The closest distance between these existing elevations would be 15m, but generally over 18m. The new windows would also include louvres to prevent any overlooking. In summary the proposal would not harm any neighbouring outlook or privacy.

Transport, construction management, servicing and refuse

Managing the impacts of construction on the surrounding highway network

- 6.101 Many of the objections received raise the local concern of construction impact, particularly on Kidderpore Avenue and Platt's Lane. As such a draft Construction Traffic Management Plan (CMP) was provided in support of the planning application. The report is comprehensive and contains useful information on how the development would be constructed, and how deliveries and servicing would be facilitated during construction.
- 6.102 The proposal would be constructed in two separate phases. Transport Officers acknowledge that this may prolong the overall duration of the works, however, a phased approach would have the benefit of significantly minimising the impacts of construction traffic on the operation of the highway (traffic congestion and road safety), due to less intensive works as a result of them being split over two phases likely to occur at separate times. One single large development would have a greater impact.
- 6.103 The phase one development would be accessed from Finchley Road in the location of demolished no. 328-330. This access would be used throughout the phase one development. The phase two development would also be accessed from Finchley Road in the location of demolished no. 336-338. This access would be used throughout the phase two development. It is important

to note that the applicant has already obtained an approval in principle with TfL to construct both these temporary construction vehicular accesses to the site from Finchley Road.

- 6.104 This arrangement would significantly minimise the impacts of any construction traffic movements along Kidderpore Avenue, Platt's Lane and Heath Drive, which are domestic streets, and would overcome the local concerns that were raised in objection letters. The agreed Finchley Road access point would be secured through a final CMP that would form part of the s106 agreement.
- 6.105 The final CMP would consider ways of minimising the impact which construction traffic would have on St Luke's School, located directly opposite the current site access off Kidderpore Avenue. This would include consideration of restricted delivery and servicing hours in order to avoid conflicts with school traffic. The final CMP would also include more detail on how construction workers would be encouraged to travel by sustainable modes of transport, and describe how queuing of construction vehicles would be prevented on Finchley Road (scheduling deliveries so that no more than 1 vehicle arrives at the site at any given time).
- 6.106 A revised final CMP would need to be approved by the Council prior to any works commencing on site. The points raised above should be incorporated into the revised final CMP. The final CMP should be secured by Section 106 agreement.

Traffic Impact Assessment (TIA)

- 6.107 The TIA's original trip generation assessment did not reference the TRAVL database, whereby existing inner London developments with a similar PTAL and parking characteristics can be compared to the development proposed. Moreover the 2001 census data was used as opposed to the 2011 data. Consequently TfL and the Council's Transport Officer sought a revised TIA. The revised multi-modal trip generation figures are outlined in the table below. The Transport Officer is satisfied that the proposal would have minimal peak hour or daily vehicle movements, therefore not significantly impact on the surrounding highway network.

Mode	AM			PM		
	In	Out	Total	In	Out	Total
Car Driver	5	18	22	15	2	17
Car Passenger	1	2	3	2	0	2
Coach	0	0	0	0	0	0
Motor Cycle	0	0	0	1	0	1
Pedal Cycle	2	6	7	0	0	0
Taxi	0	0	0	0	0	0
Walk	1	5	5	5	2	7
Underground/Light Rail	4	29	32	31	11	42
Train	0	3	3	3	1	4
Bus	1	4	4	4	1	6
Total Person	13	65	78	62	17	79

Travel Planning

- 6.108 A draft residential Travel Plan (TP) has been provided in support of the planning application, and is a good example of what is expected during the planning application process. The final TP would need to be secured by a Section 106 Agreement, as would a financial contribution of £5,561 to cover the costs of monitoring and reviewing the Residential Travel Plan over a 5 year period.
- 6.109 TfL encourages developers to use the TRAVL database for trip generation predictions, as such the applicant to undertake a TRAVL after study and provide TfL and the Council with the results on completion of the development. TfL would then be able to update the TRAVL database with the trip generation results for the various use categories associated with this development. The necessary after surveys and results should be secured by Section 106 agreement as part of the Travel Plan review and monitoring process.

Pedestrian, Cycling and Environmental Improvements

- 6.110 Given the scale of the proposed development, the Council would require a financial contribution towards Pedestrian, Cycling and Environmental Improvements in the local area. The Core Strategy details a number of strategic transport projects which are currently being developed in the borough (pages 170 to 176). The Council may choose to make financial contributions to the following strategic transport projects in order to mitigate the transport impacts of the proposal: First Capital Connect; (formerly Thameslink); London Underground capacity improvements; London Overground station capacity improvements; West Hampstead Interchange; Bus (Bus stop accessibility); Cycle Hire Scheme and Legible London
- 6.111 A significant level of short distance pedestrian trips between the site and nearby transport interchanges is predicted, which would have an impact on the surrounding footways and public transport facilities. As such a financial contribution is necessary to help to mitigate such impacts whilst also helping to encourage sustainable transport choices.
- 6.112 Finchley Road is located on the Cycle Superhighway Network (Route CS11). Kidderpore Avenue and Platt's Lane are located on the London Cycle Network (LCN Route 50). The proposal would increase the number of cycling trips on Finchley Road, Kidderpore Avenue and Platt's Lane. TfL is currently developing proposals for the Cycle Superhighway (CS11). Consequently conditions for cycling on Kidderpore Avenue and Platt's Lane may need to be improved in order to mitigate the impacts of the proposal.
- 6.113 Improvements to pedestrian and cycling facilities would be fairly and reasonably related to the proposed development. The financial contribution would be used to improve conditions for walking and cycling in the local area with a focus on the routes likely to be used by residents (as listed above). Proposed schemes for which the financial contribution could be utilised are detailed in the Camden Transport Strategy (Chapter 6). These schemes would include:

- Borough wide road safety improvements (see page 155) (in vicinity of the site)
- West Hampstead (Page 157) (e.g. Pedestrian, Cycling Permeability and Road Safety improvements)
- Advanced stop lines (page 158) (e.g. Finchley Road junctions with Platt's Lane and Heath Drive)
- Cycle training programme (page 158)

6.114 The Council is also committed to rolling out the Legible London pedestrian wayfinding system across the borough. Given the significant level of pedestrian trips associated with the development, additional Legible London signs may be provided in the vicinity of the site.

6.115 Taking all of the above into consideration, a financial contribution of £100k towards pedestrian, cycling and environmental improvements in the vicinity of the site is required. This would need to be secured by a Section 106 Agreement and would allow the Council to introduce pedestrian, cycling and environmental improvements in the vicinity of the site as described above.

Cycle Parking

6.116 A key aim of the development plan is to promote cycling in the borough and this is detailed in DP17 (Walking, Cycling and Public Transport). Indeed, Camden's Transport Strategy has set a target of 25% for cycling as a proportion of road traffic flows in the borough by 2020.

6.117 The proposal would not provide any cycle parking within the site for the community use (Hampstead School of Art). This is acceptable as the proposed floor space of 441sqm falls below the threshold of 500 sqm specified in parking standards. However, it is noted that Sheffield Stands would be provided for visitors in the landscaping areas. It is assumed that such cycle parking could be used by staff, students and visitors.

6.118 The proposal includes the provision of 236 covered and secure cycle parking spaces within 2 under-croft areas; 138 spaces for Phase 1 and 98 spaces for Phase 2. Additional Sheffield Stands would be provided for visitors in the landscaping areas.

6.119 The minimum cycle parking requirements are provided in line with the London Plan Revised Early Minor Alterations (published for public consultation in June 2012). This requires 1 space for residential units with 1 or 2 bedrooms, 2 spaces for residential units with 3 or more bedrooms, and 1 space per 40 residential units (or part thereof) for visitors. The proposal would need to provide a minimum of 186 spaces on this basis; 116 spaces for Phase 1 and 70 spaces for Phase 2; this includes 4 spaces for visitors (2 for Phase 1 and 2 for Phase 2). The proposed level of provision exceeds the minimum requirement and is therefore welcomed in transport terms.

6.120 The drawings submitted in support of the planning application indicate that cycle parking facilities for Phase 1 would be located within various covered and secure cycle stores as follows:

- 36 spaces in block F (level -03)
- 18 spaces in blocks H (level -03)
- 84 spaces in block D (level -02)

6.121 The drawings also indicate that Sheffield Stands would be provided in blocks F and H. This type of cycle parking facility is acceptable. The type of cycle parking facility to be provided in block D is unclear at this stage, however, Josta two-tier racks are recommended as these are especially efficient when space is limited.

6.122 The drawings submitted in support of the planning application indicate that cycle parking facilities for Phase 2 would be located within various covered and secure cycle stores as follows:

- 18 spaces in block J (level -03)
- 54 spaces in blocks K, L & M (level -02)
- 24 spaces in blocks K, L & M (level -03)

6.123 The proposed cycle parking spaces throughout the site adhere to the Council's requirements in terms of layout dimensions, and are secured on the detail floor plan drawings.

Car Parking

6.124 The Council's parking standards potentially allow for a ratio of 1 space per residential unit in this location. However, the applicant has positively aimed for a ratio of 0.5 spaces per residential unit, as per advice given at pre-application discussion stage. This would minimise the proposal's impact on the highway network and would also encourage residents to use more sustainable and efficient modes of transport (e.g. walking, cycling and public transport). The proposal for 128 residential units includes the provision of 81 car parking spaces within the site. This would include 10 disabled parking bays. This represents a ratio of 0.63 spaces per residential unit overall.

6.125 All of the 71 general needs car parking spaces would be allocated to the private residential units. The affordable residential units would only have access to the 10 on-site disabled parking bays as required, this has been specified by the Registered Providers that the applicant have spoken with. The development would be car capped at 81 car parking spaces provided, and the applicant will enter into a permit free agreement covering all 128 residential units. This is welcomed by the Transport Officer and means that residents of all 128 residential units would be ineligible to apply for on-street parking permits. Moreover, 90% of the spaces proposed would be secured for the family sized units (3-bed +) in the S106.

6.126 Officers note that TfL has required that electric vehicle charging points (EVCP) be provided in accordance with London Plan standards. The TfL suggestion that 20% of all car parking spaces should be equipped with EVCP, with a further 20% of all spaces being capable of being upgraded in the future is endorsed by the Council. The applicant has confirmed that these EVCP

requirements will be provided and these details should be secured by condition.

Impact on the Controlled Parking Zone

- 6.127 Local residents have raised concerns with regard to the impact the proposals could have on car parking in the local area. As mentioned above, the development is to be car capped at 82 car parking spaces within the site and the applicant will enter into a permit free agreement covering all 128 residential units. This means that residents of all 128 residential units would be ineligible to apply for on-street parking permits.
- 6.128 The site is located within the Redington & Frognaal CPZ that operates on Monday to Friday between 1230 and 1430 hours. The ratio of parking permits to parking spaces in the CPZ is 0.54. This suggests that parking stress is not a significant issue in this part of the borough. The Transport Officer is satisfied that with reasonable efforts to minimise the impact of the proposals on the CPZ through the car free and car capped proposals. The proposal will discourage the use of private car use by residents and staff, and although private car ownership can't be controlled, any resident wishing to own a car without having a designated parking space on-site would clearly find parking to be a major obstacle. For example, parking would be prohibited within the site at all times and within the CPZ on Monday to Friday between 1230 and 1430 hours.
- 6.129 The Council could review the hours of operation of the CPZ in the future if it can be demonstrated that the proposed development is having a detrimental impact on on-street car parking outside of the existing hours of operation. However, I would not anticipate this being necessary.
- 6.130 The Traffic Impact Assessment (TIA) indicates that 2 existing on-street car parking spaces on Kidderpore Avenue would need to be removed in order to facilitate the proposed access arrangements. A parking survey undertaken in support of the TIA suggests that such a loss of parking could be accommodated. Officers are satisfied that there would be a minimal impact on existing on-street car parking spaces on Kidderpore Avenue.
- 6.131 In summary, the car parking proposals comply with DP19 and are therefore acceptable in transport terms.

Car Clubs

- 6.132 The proposal does not include the provision of any car club parking bays within the site. This site has a PTAL rating of 3 and is not well served by existing car club parking bays. The nearest car club parking bays are located on Archilles Road, Fortune Green Road, Redington Road, Templewood Avenue and West End Lane (2 cars). Therefore not easily accessible to potential residents.
- 6.133 In such circumstances, introducing a car club bay would help discourage private car ownership amongst potential residents and have benefit existing residents in the area. The bay would be particularly welcome for use by the

affordable housing tenants The developer has agreed to work with a local car club operator and provide a car club bay on Kidderpore Avenue. This commitment will be secured by S106 agreement.

Deliveries, servicing, waste storage and collection

- 6.134 The draft Transport Statement (TS) provided in support of the planning application includes a section on servicing. This suggests that the proposal would generate a small number of delivery and servicing related trips on a daily basis, including postal deliveries, and waste and recycling collections. The trip generation assessment suggests that the proposal would generate up to 5 servicing trips per day by light goods vehicle. The proposal is also likely to generate up to 3 waste and recycling collections per week. This level of servicing trip generation is acceptable and would not have any noticeable impact on the operation of the surrounding highway network.
- 6.135 The majority of deliveries to the site will be accommodated within the site through the provision of a turning area located at the end of the existing internal access road from Kidderpore Avenue. This turning area has been designed to accommodate vehicles up to the size of 7.5 tonne box vans, with turning movement diagrams provided to demonstrate that these vehicles can safely use the turning area. Consequently, vehicles would be able to enter and exit the site in a forward gear in compliance with CPG 7
- 6.136 Policies CS18 and DP26 requires all new developments to provide adequate facilities for the storage and disposal of waste and recycling. Accordingly, the application's Transport Assessment includes a waste and refuse plan that outlines the arrangements for general waste and recycles storage and their collection. In terms of storage, the refuse areas have been appropriately designed in accordance with the Council's guidance outlined in CPG 1, and this equates to a requirement for 32,450 litres of waste storage for the 128 dwellings (see table 1.2 of the TA for breakdown per block). This translates to 36 Eurobins (1,100 litre). Each storage area would include both waste and recycle bins easily located at ground levels within 25m of their collection points.
- 6.137 The proposed residential blocks, with frontages on Kidderpore Avenue (blocks A, B, C, D, E, K, L and M) and Finchley Road (blocks F, G, H and J) would be serviced from the kerbside. This arrangement on Kidderpore Avenue would be acceptable outside of the CPZ operating hours (Monday to Friday between 1230 and 1430 hours), and commensurate with how the majority of existing properties are currently serviced. TfL has confirmed that servicing from the existing kerbside loading bay on eastbound Finchley Road would be acceptable in accordance with the existing loading/unloading restrictions.
- 6.138 Deliveries by larger vehicles (e.g. 10m rigid vehicle) are predicted to be infrequent. Given vehicles would not be able to enter and exit the site in a forward gear; these rare deliveries would be accommodated from the kerbside in accordance with the existing loading/unloading restrictions.

- 6.139 The proposals for refuse and recycling storage is acceptable. Waste and recycling bins would be transported a short distance to the nearest kerbside location on the morning of agreed collection. The majority of refuse and recycling collections would take place from the kerbside on Kidderpore Avenue and Finchley Road. Blocks D and E would be serviced from within the site.
- 6.140 TfL has suggested that a Delivery and Servicing Management Plan (SMP) should be submitted for the Council's and TfL's approval prior to occupation of the site. This is agreed and a SMP would be secured as part of the Section 106 agreement should planning permission be granted.

Highway Works

- 6.141 TfL advise that the footway adjacent to the Finchley Road frontage to the site would need to be repaved once the proposed works were substantially complete. These highway works would be constructed as part of the proposal, under a Section 278 Agreement between the applicant and TfL. Details of these works should be secured by S.106 agreement.
- 6.142 The footways adjacent to the site on Kidderpore Avenue and Platt's Lane are currently in poor condition with various items of street furniture constituting unnecessary street clutter. In addition, the footways are likely to be damaged as a result of the proposed works. The footways would therefore need to be repaved following completion of the works. Street furniture which would obstruct access to the site would also need to be relocated (e.g. phone boxes, telecommunications cabinets, street name plates, traffic sign posts, lamp columns, bollards etc).
- 6.143 The highway works on Kidderpore Avenue would also include the removal of a redundant vehicular crossover, minor amendments to the existing site access, construction of a new site access, and associated changes to the on-street parking bays. These changes to the public highway would be subject to a separate public consultation exercise which would be undertaken by our Transport Design Team. The works would also be subject to highways approval.
- 6.144 The highway and public realm improvements described above have been costed at £101,000 would be secured in the s106.

Public Realm Improvements within the site

- 6.145 Significant improvements to the public realm within the site are proposed, including the introduction of a shared surface on the two primary accesses to the site from Kidderpore Avenue. This would reduce the dominance of motor vehicles and thereby give more priority to vulnerable road users such as cyclists and pedestrians (including mobility impaired) within the site. This approach is welcomed. The provision of cycle channels adjacent to any steps would be secured on secured by condition.

Mayor of London's Community Infrastructure Levy (CIL)

- 6.146 The proposal will be liable for CIL as the new build floorspace exceeds 100sqm. Based on the Mayor's CIL charging schedule and the information given on the plans the charge is likely to be £656,150 (13,123sqm GEA x £50). This excludes the 4,005sqm affordable housing, which is exempt from CIL. This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index.

Basement

- 6.147 Development Policy DP27 states where a basement development is deeper than one full storey below ground level (3 metres in depth) the Council would require evidence, including geotechnical, structural engineering and hydrological investigations and modelling to demonstrate that basement developments do not harm the built and natural environment or local amenity. This evidence forms part of a Basement Impact Assessment (hereinafter a BIA) that at the very minimum contains a screening exercise, to determine whether further scoping, site investigation or technical evidence is necessary. This is to ensure that basement developments do not harm the built and natural environment or local amenity.
- 6.148 The library building (block D) in phase 1 has an existing semi-basement cut into the natural slope of the site, approximately 6m below ground level along its northern edge and reducing to 1.5m along its southern edge. No further excavation of this basement is proposed. In phase 2 a new double level basement would be excavated beneath new blocks K, L and M. Due to the site's topography this basement would be deepest at its north-eastern edge at 7m below ground (next to existing site access from Kidderpore Avenue), and shallowest at south-western corner at 2m (next to Platt's Lane frontage). Accordingly a BIA was provided and appropriately follows the sequential approach outlined in CPG4 ('screening', 'scoping' and 'site investigation') of the three test subjects below.

Subterranean (ground water) flow

- 6.149 The site is located directly above the Claygate Member aquifer (question 1a) and it is therefore likely that the basement would extend beneath the groundwater table flowing within the permeable horizons of the Claygate Member (question 1b). The basement would also increase the hard surfaced areas (question 4). The site is not within 100m of a watercourse (question 2), not within catchment ponds of Hampstead Heath (question 3), no additional water discharged directly into ground (question 5) and the lowest pointy of the basement is not close to any local pond or spring line water level (question 6).
- 6.150 As such scoping on questions 1a, 1b and 4 was required. Scoping was assisted by the fact that there had been seven 20.5m deep boreholes and six window sampler boreholes carried out on the site in 2006, with a further four 20.5m deep boreholes carried out in 2011 around the existing library basement. The boreholes found water to be limited to the Claygate Member only, and not at the deeper London Clay formation below. The evidence

collected with regards to existing 6m deep library basement within the Claygate Member was a useful indicator that impact on groundwater regime would be negligible. The new basement's retaining wall would be designed to resist a build-up of hydrostatic pressures so that localised pockets of groundwater would be free to move around the edge of the structure.

Slope stability

- 6.151 The site includes a slope greater than 1 in 8 (question 1), Claygate beds are susceptible to seasonal shrink/swell (question 7), is within an aquifer (question 9) and is within 5m of a highway (question 10). As such scoping would be required on these points. Important to the context of slope stability, the new basement would be sited a minimum distance of 18m from neighbouring buildings across Kidderpore Avenue and Platt's Lane. These neighbours are largely beyond the influence of the excavation so that the impact on structural stability would be negligible (or category 0 on the Burland Scale). The nearby highways would be protected by props during the temporary works, and the basement retaining wall and infill in the long term.

Surface flow and flooding

- 6.152 Firstly, it is acknowledged that the streets surrounding the site are not identified in CPG4 as streets at risk from surface water flooding, nor is the site within a flood plain. It is in Flood Zone 1 of the Environment Agency's flood zone map, which is classified as having the lowest flood risk. As highlighted already, SUDS will be conditioned to ensure there is a 39% decrease in existing surface runoff from the site. There would be no significant impact on drainage or run-off at ground level as a result of the basement excavation and either Thames Water or the Environment Agency raised any objection to the basement in their consultation responses.
- 6.153 In summary, the excavation proposed will not harm the built and natural environment or local amenity, and complies with policy DP27. Moreover, the council's standard basement condition would be secured to ensure the works are carried out to best practice standards and monitored by qualified engineers.

Crime prevention through design

- 6.154 Policy CS17 expects new developments to include measures that would improve community safety and promote safer streets and public spaces. As such the proposal was developed in close consultation with the Crime Prevention Design Advisor (hereinafter Crime Advisor) who advised on the principles of 'Secured by Design' and 'Designing out Crime'. A CCTV strategy will also be conditioned. The submission adopted these principles and is therefore supported.

Sustainability and climate change

- 6.155 Pursuant to Core Strategy policy CS13 and Development Policies DP22 and DP23 all developments in Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise

carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

Mitigation

- 6.156 This requires developments to make the fullest contribution to tackling climate change in the following hierarchy: firstly by minimising carbon dioxide emissions, adopting sustainable design and construction measures (be lean), secondly prioritising decentralised energy (be clean) and thirdly incorporating renewable technologies (be green). This hierarchy is outlined in London Plan policy 5.2, which also requires a 25% carbon saving beyond Part L of the 2010 Building Regulations. The Energy Report, by Whitecode, submitted follows this energy hierarchy.
- 6.157 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by Building Regulations. Other features include 100% low energy lighting, double glazed windows for heat retention in winter and 84% of flats are designed as dual aspect to allow passive ventilation in summer. Heat recovery units will also be incorporated in flats, which draw air through a high efficiency heat exchanger where this is warmed and passed throughout the dwelling. These lean measures are estimated to achieve a 4.05% reduction in carbon emissions compared to a 2010 Part L Building Regulations compliant development.
- 6.158 The applicant has appropriately investigated and demonstrated that there are no existing or planned district heating networks within the vicinity of the site. Consequently, the development will include a site wide energy network that can undergo a future connection to a district heating network should one become available. This is welcomed and secured in the s106 agreement. This site wide heat network will consist of two separate 22kWe gas fired combined heat and power (CHP) units; one in the basement of block F to serve phase one, and a second in the basement below block L to serve phase 2. A single 70kWe CHP unit was investigated to serve both phases, but two smaller units were proven to be more efficient. A drawing, showing the route of the heat network linking all buildings on the site, appropriately illustrates this. This clean measure will allow a 13.9% reduction in carbon emissions to be achieved site wide through the 'be clean' measures proposed.
- 6.159 The applicant investigated the feasibility of a range of renewable energy technologies, and decided to install roof mounted photovoltaic cells (PV). A total of 362sqm of PV panels are conformed to be provided on the roofs of blocks across the site, achieve a 20.13% reduction in carbon emissions. This appropriately meets the 'green' element of the energy hierarchy.
- 6.160 In summary, the estimated regulated carbon emissions savings are 63,700Kg of CO₂ per year after the cumulative effect of passive design measures, CHP and PV has been taken into account. This equates to a reduction of 30.97% when compared to a 2010 Building Regulations compliant development,

which comfortably exceeds the 25% target set out London Plan policy 5.2. All the above measures shall be secured in the s106 agreement.

Adaptation

- 6.161 This requires developments to minimise overheating and contribution to heat island effects, minimise solar gain in summer, contributing to flood risk reductions, including applying sustainable urban drainage principles, minimising water use and protecting and enhancing green infrastructure. A Code for Sustainable Homes (CfSH) pre-assessment rating of 'level 4' would be achieved for the eight new build blocks, whilst all retained and refurbished buildings would achieve an EcoHomes rating of 'very good'. These ratings meet the policy DP22 requirement and shall be secured within the s106 legal agreement. The community facility element of the scheme is below the threshold whereby a BREEAM rating is required. Moreover, in accordance with CPG3, each rating would generally achieve the minimum 60% credits for energy, and 40% credits for water and materials categories. The CfSH achieves 55% energy, 50% water and 63% materials. The EcoHomes achieves 63% for energy, 67% water and 90% materials. These ratings are welcomed.

Water conservation

- 6.162 With regards to water conservation, the development would incorporate efficient fittings throughout the residential flats and commercial building such as low/dual flush toilets and aerated taps in accordance with policy DP23.
- 6.163 The application includes a Flood Risk Assessment (FRA) Drainage Assessment, which confirms that the site falls within Flood Zone 1 of the Environment Agency's flood zone map, which is classified as having a low flood risk. The FRA appropriately considers the existing policy guidance contained within the NPPF, London Plan, North London Strategic Flood Risk Assessment and Camden policies.
- 6.164 The site has an area of 9,785sqm containing a significant amount of soft landscaping amounting to 4,065sqm (42%). The redevelopment would increase soft landscaping to 5,014sqm (inclusive of 1,432sqm living roofs), which is welcomed in terms of reducing surface water run-off. The FRA calculates the site's current surface water run-off is 74.3 litres/sec, however with attenuation measures this would be reduced to 45.6 litres/sec in the redevelopment (39% reduction). This will be achieved by providing two underground attenuation tanks totalling 100.8m³ and 112m³, as well as 1,432sqm living roofs.
- 6.165 All the above measures offer a policy DP23 compliant drainage strategy that will be a 39% improvement on existing conditions, and is supported Environment Agency and Thames Water subject to the conditioning of the attenuation measures identified.

Noise, air quality and contaminated land

Noise

- 6.166 Policy DP28 relates to the protection of existing and future amenity with regard to noise disturbance, and acknowledges that background noise levels in Camden are high in many areas, especially in inner London areas next to busy TfL roads. Accordingly the application includes a Noise Assessment. For information, National guidance in PPG 24, which included Noise Exposure Categories (NEC), has now been superseded by the NPPF. The NPPF does not refer to NEC's but for the purpose of assessment it is still appropriate to refer to the NEC levels that apply to the site.
- 6.167 Noise surveys were undertaken on Friday 30 March and Wednesday 4 April 2012 and therefore represent a weekend and weekday periods. The results on the noisiest Finchley Road elevation confirm that dominant noise sources are attributable to road and show that the existing levels are within NEC D. It is accepted that residential uses can be built in NEC D areas, subject to appropriate noise conditions being attached to secure the high quality insulation and attenuation measures in a building, including vibration attenuation measures from traffic and proposed CHP boilers. These conditions were recommended by the Council's Noise Officer and will be secured. Moreover, residential buildings along this road are already commonplace, with many older buildings lacking the attenuation measures that will be incorporated in the proposed buildings.

Air Quality

- 6.168 Protecting air quality in Camden is a key consideration especially along heavily trafficked central London roads, such as Finchley Road. In accordance with policy DP32 the Environmental Statement includes Air Quality Assessment. In terms of the development's impact on existing air quality conditions, an impact would result from traffic generation given that 81 car parking spaces are proposed. However the Council's Air Quality officer acknowledges that this is less than one space per unit that could have been justified, and agrees with the trip assessment that car movement should be negligible. The Air Quality Officer was initially concerned by the impact of the gas-fired boilers and a two CHP systems, however further data on their attenuation has been provided and found acceptable. The Assessment also makes specific mitigation measures for the ground floors of blocks E, F and G so that filters will limit NO₂ concentrations from incoming air to the flats. These measures are welcomed. Finally, a Construction Management Plan will control the pollution resulting from demolition and construction works, and this is secured in the s106.

Contaminated land

- 6.169 The Council's Contamination Officer identifies the site as medium risk to earth contamination and therefore requires the Council's standard condition to secure a written programme of ground investigation for the presence of soil and groundwater contamination to be submitted before works commence on site.

Planning obligations and community benefits

Community facilities

6.170 Core Strategy policy CS10 sets out Camden's overarching approach to protecting and providing the community facilities that meet the needs of Camden's growing population, with supporting Development Policy DP15 stating that the council will expect developments that result in any additional need for community or leisure facilities to contribute towards supporting existing facilities or providing for new facilities.

6.171 The applicant has offered a financial contribution towards community facilities in the borough. The adopted formula in CPG8 seeks £980 per bedroom, however in major schemes (over 10 units) greater contributions will be negotiated on a case by case basis. In this case the applicant is providing a replacement facility for the Hampstead School of Art and this will also be available for community uses. As such it is reasonable that a community facility based on the number of bed spaces alone in this instance is appropriate. For phase 1 the contribution is £169,540 (173 bedrooms x £980 per bed space), and phase 2 at 113 bed spaces would be £110,740. This totals £280,280 across the site. The combination of a replacement community facility on site and these contributions are welcomed by Council's Communities service and will be secured in the s106 agreement.

Education

6.172 Core Strategy policy CS10 sets out Camden's overarching approach to providing the educational facilities that meet the needs of Camden's growing population, with supporting Development Policy DP15 stating that the council will expect developments that result in any additional need for education facilities to contribute towards supporting existing facilities or providing for new facilities.

6.173 The development on its own is not large enough to necessitate the building of a new school. As such a full financial contribution can be supported. In line with the CPG 8 formula only the market housing units are required to make a contribution. Phase 1 full contribution equates to £281,013 and phase 2 would be £116,649. The contribution will be secured in the s106 agreement.

Local employment and apprenticeships

6.174 Policies CS8, DP13 and CPG8 seek to improve local employment opportunities through developments. All major developments are required to provide employment opportunities to Camden residents including apprenticeships on site throughout their construction period. A total of 8 Kings Cross Construction Skills Centre construction apprentices are secured in the s106. Each apprentice would be provided with 52 weeks of employment, paid at the National Minimum Wage or above and provided with training and support while on site. In addition a financial contribution of £1,500 per apprentice would be secured (total £12,000) to be used by the Council as a contribution to the cost of the apprentice recruitment and support service provided by the Construction Skills Centre. Also 7 such apprentices would get a work placement opportunity of not less than 2 weeks each, to be undertaken over the course of the development. In addition to the construction apprenticeships, an Employment and Skills Plan for each phase of the development would be secured in the s106 whereby the developer would

liaise with local providers to fill vacancies. Finally, signing up to the Camden Local Procurement Code, requiring a minimum delivery of 10% local procurement. The Council's Economic Development team are satisfied.

S106 heads of terms

6.175 For completeness, this section lists the s106 non-financial heads of terms and financial contributions. For clarity, the financial contributions for each phase would be payable prior to commencement of each phase.

Phase 1 S106 Heads of terms

- Affordable Housing: 11 Social Rented and 11 Intermediate to be made available prior to the occupation of private units
- Deferred payment clause on 75% of market unit sale (inclusive of 75% of units occupying top three floors of block D one unit of top floor)
- Temporary premise for Hampstead School of Art during site works
- Permanent home for Hampstead School of Art in block E with a rent that has been agreed in writing with the Trustees
- Block E made available for other community uses
- Phase 1 not occupied until agreed open space area on phase 2 land is made available for recreational amenity purposes of phase 1 residents
- Car free except for the provision of 30 resident parking spaces (including 5 disabled) in block D basement and 1 disabled space south of block E
- 90% of car-parking spaces secured for family sized units (3-bed+)
- Demolition and Construction Management Plan
- Delivery and Servicing Management Plan
- Residential Travel Plan
- Travel Plan monitoring contribution: **£5,561**
- Highways contribution: **£59,180**
- Pedestrian, cycling and environmental improvements contribution: **£50,000**
- Code for Sustainable Homes 'level 4' rating for new build
- EcoHomes 'very good' for refurbished buildings
- CHP and renewable energy (PV) generation on site
- Future proofing for connection to decentralised energy network
- Public open space contribution: **£130,058**
- Education contribution: **£281,013**
- Community facility contribution: **£169,540**
- Signing up to Council's Local Procurement Code
- 5 Kings Cross Construction Skills Centre construction apprentices and support fee of £1,500 per apprentice
- 5 work placement opportunities from Kings Cross Construction Skills Centre of not less than 2 weeks each, to be undertaken over the course of the development

Phase 2 S106 Heads of terms

- Affordable Housing: 9 Social Rented and 4 Intermediate to be made available prior to the occupation of private units
- Deferred payment clause on 75% of market unit sale

- Car free except for the provision of 51 resident parking spaces (including 5 disabled) in block L/M/K basement
- 90% of car-parking spaces secured for family sized units (3-bed+)
- No demolition of student accommodation until evidence provided showing replacement accommodation for Kings College London students has been provided and made ready for occupation
- Agreed open space area to be made available to phase 1 residents for recreational amenity purposes from moment of phase 1 occupation
- Demolition and Construction Management Plan
- Delivery and Servicing Management Plan
- Residential Travel Plan
- Travel Plan monitoring contribution: **£5,561**
- Highways contribution: **£41,820**
- Pedestrian, cycling and environmental improvements contribution: **£50,000**
- Code for Sustainable Homes 'level 4' rating
- CHP and renewable energy (PV) generation on site
- Future proofing for connection to decentralised energy network
- Public open space contribution: **£80,411**
- Education contribution: **£116,649**
- Community facility contribution: **£110,740**
- Signing up to Council's Local Procurement Code
- 3 Kings Cross Construction Skills Centre construction apprentices and support fee of £1,500 per apprentice
- 2 work placement opportunities from Kings Cross Construction Skills Centre of not less than 2 weeks each, to be undertaken over the course of the development

Site wide

- Single Car club bay on Kidderpore Avenue
- 14 wheelchair accessible homes
- Phasing programme

7. CONCLUSION

- 7.1 The applicant, the Council and the local community all share the same vision for this important site, in that it should be sensitively regenerated to its optimal potential for much needed housing whilst enhancing the character and appearance of the Redington and Froggnal Conservation Area, enhancing its existing rich biodiversity value and retaining the Hampstead School of Art for the benefit of the community. The site has lain mostly vacant and significantly underused for many years now, and the application submitted presents an excellent opportunity for its sensitive regeneration.
- 7.2 The proposal appropriately retains and refurbishes the buildings of heritage value along Kidderpore Avenue whilst simultaneously taking the proactive opportunity to demolish buildings of least value to the conservation area and replacing them with modern, high quality and contextually responsive, yet contemporary, designed buildings. The improvement in townscape, along Finchley Road and along Platt's Lane and section of Kidderpore Avenue

where the existing student block sits, would be particularly marked. Although currently out of character to the conservation area, the retention and refurbishment of the library block can be accepted for sustainability reasons, and it's re-cladding with quality materials and new use as residential would be appropriate to the site and its neighbours.

- 7.3 Although the site is not itself designated as statutory or non-statutory site of importance to nature conservation, it does contain grassland, trees and wildlife including an active bat roost. As such, the proposal has been sensitively designed with the continuous input of a qualified ecologist whom recommended that the features worth protecting be retained, and numerous opportunities for enhancement. The existing bat roost at 25 Kidderpore Avenue would be protected in perpetuity by way of licenc and new artificial roosts and bird boxes added. Natural England and the Council's Conservation Officer are supportive and appropriate conditions are attached. Although trees will be removed, in particular two larger healthy ones to allow the construction of the new Hampstead School of Art, officers recognise on balance that the economic, social and other environmental benefits presented by the scheme would outweigh the loss. Moreover, a significant amount of new tree planting is secured by condition to contain native and larger specie trees. This is welcomed and will provide great biodiversity enhancements in the long term.
- 7.4 Finally, in reference back to the Executive Summary, the site, or its immediate environs, was never deemed appropriate by policy officers for inclusion within the Council's Site Allocations Document that will be adopted later this year. Importantly, neither the site owners nor the local population or amenity groups seek that it be included following the rounds of public consultation on the Site Allocations Document. Notwithstanding this, the two owners of the site (Barratt - phase 1 and KCL - phase 2) have positively submitted a single joint application to develop the site in a holistic way. This collaborative approach is strongly encouraged by officers on sites like this. Phase 1 may come forward sooner than phase 2, however officers are fully satisfied that phase 1 residents could live comfortably alongside the retained student accommodation on phase 2 land, in the event that there is an interim period between development.

RECOMMENDATION 1

- 8.1 Planning Permission is recommended to grant full planning and conservation area consent subject to a S106 Legal Agreement covering the Heads of Terms listed under paragraph 6.175 of this report.

9. RECOMMENDATION 2

- 9.1 In the event that the S106 Legal Agreement referred to above has not been completed within the time specified in the Planning Performance Agreement (PPA), the Development Management Service Manager is given authority to refuse planning permission for reasons relating to failing to secure each of the Heads of Terms listed under paragraph 6.175 of this report.

10. LEGAL COMMENTS

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

Condition(s) and Reason(s) **2013/0685/P**:

- 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 92 of the Town and Country Planning Act 1990 (as amended).

- 2 The area of open space located on Phase 2 land as shown on drawing number... shall be made available for use by Phase 1 residents until such time that Phase 2 works are implemented. Details of the open space's interim landscaping scheme shall be provided to the Council for approval in writing before the Phase 1 development is first occupied.

Reason: In order to ensure that the development makes sufficient provision for open space in accordance with the requirements of policies CS5 and 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.

- 3 The public access route through the site linking Finchley Road and Kidderpore Avenue shown on drawing number 809_01_07_103 shall remain open at all times following completion of the phase 1 development, and shall not be gated.

Reason: In order to ensure that the development makes sufficient provision for permeability and public access across the site in accordance with the requirements of policies CS5 and 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.

- 4 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the D1 premises shall only be used as an art school and/or other non-residential educational, training facility and/or community meeting space.

Reason: To ensure that the future occupation of the building provides required general industry space in accordance with 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 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out at 17 Kidderpore Avenue without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies CS14 and CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 6 ***Before the relevant part of each Phase commence detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

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

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

c) Details elevations and section showing typical facing brick arrangement including expansion joints vertical and horizontal banding;

d) Samples and manufacturer's details of all new facing materials including brickwork, windows and door frames, glazing, balconies, balustrades, cladding and any other facing materials.

e) A sample panel of brickwork no less than 2m by 2m including junction with window opening demonstrating the proposed colour, texture, face-bond, pointing, expansion joints and vertical and horizontal banding, shall be erected on site for inspection for the local planning authority and maintained for the duration of the works.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Notwithstanding the approved Phase 1 drawings and documents, a window and door schedule outlining proposals for the repair, retention and/or replacement of the windows and doors to nos. 17-25 Kidderpore Avenue and plans, elevations and sections of all new windows and doors at a scale of 1:5 with moulding details at 1:2 shall be submitted to the Council for approval in writing before the relevant part of Phase 1 commences. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Before the relevant part of Phase 1 commences detailed drawings including plan, elevations and sections of the remodelled dormer to the side roof slope of no.25 Kidderpore Avenue at a scale of 1:5 shall be submitted to the Council for approval in writing.

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 9 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 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 10 ***Before the relevant parts of each Phase of the development commences full details of the following cycle storage areas shall be submitted to and approved in writing by the Council:

- a) Phase 1 storage areas for 138 cycles
- b) Phase 2 storage areas for 98 cycles

The relevant parts of the development shall not be occupied until the approved cycle storage areas have been provided in their entirety, and shall be thereafter permanently maintained and retained.

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 ***Before the relevant parts of each Phase of the development commence full details of cycle channels or alternative means to assist cycle accessibility at locations within the site where step free access cannot be provided shall be submitted to and approved in writing by the Council.

Reason: To ensure the development provides adequate accessibility for cyclists 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.

- 12 ***Before the relevant parts of each Phase of the development commence detailed plans shall be provided to the Council for approval in writing indicating the location 20% active and 20% passive electric vehicle charging points of each Phase's car parking spaces. The charging points shall be provided in their entirety in accordance with the details thus approved and thereafter be permanently maintained and retained.

Reason: To encourage the uptake of electric vehicles, in accordance with Policy 6.13 of the London Plan.

- 13 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.

- 14 Before the relevant part each Phase is first occupied, the refuse and recycling storage facilities, as shown on the drawings hereby approved, shall be provided. All refuse and recycling storage facilities shall be permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policies CS5 and CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 15 ***Prior to occupation of each Phase commences full details of a CCTV strategy to include details of cameras to be affixed to the external faces of the buildings and within the public realm, including their range of coverage. The approved measures implemented in their entirety prior to occupation of the relevant parts of the development and be thereafter retained and maintained.

Reason: In order to protect the amenities of residents living in the area immediately surrounding the development in accordance with policy DP26 of the London Borough

of Camden Local Development Framework Development Policies.

- 16 ***Before the relevant part of each Phase commences full details of hard and soft landscaping, children's playspace, replacement tree planting and means of enclosure of all un-built, open areas have been submitted to and approved in writing by the Council. [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 enable the Council to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policies CS14, CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24, DP25 and DP31 of the London Borough of Camden Local Development Framework Development Policies.

- 17 All hard and soft landscaping and replacement tree planting works of each Phase shall be carried out to a reasonable standard in accordance with the approved landscape details by not later than the end of the planting season following completion of each Phase of the development or prior to the occupation of each 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 Council gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 18 All trees on each Phase of the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage to the satisfaction of the Council. Details shall be submitted to and approved in writing by the Council before works commence on site to demonstrate how trees to be retained shall be protected during construction work: such details shall follow guidelines and standards set out in British Standard 3998: 2010 (Recommendation for Tree Work).

Reason: To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 19 ***Before the relevant part of each Phase of development commence details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect new or existing trees on or adjoining the site, shall be submitted to and approved in writing by the Council as the local planning authority. 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 Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 20 ***Before the superstructure works of each Phase commences details of bird and bat nesting boxes / bricks / features shall be submitted to and approved in writing by the Local Planning Authority. No less than 15 bird nesting boxes / bricks and 6 bat features (this can include features incorporated into building design as list in The Ecology Consultancy Biodiversity Survey dated January 2013) shall be provided across both Phases and the details shall include the exact location, specification and design. The boxes / bricks / features shall be installed prior to the first occupation of the buildings to which they form part. The nesting boxes / bricks / features shall be installed strictly in accordance with the details so approved, shall be retained and maintained as such thereafter.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 21 ***Before the relevant part of either Phase 1 or Phase 2 commence, details of the biodiverse, substrate-based extensive living roofs (equating to 75% of the 1,432sqm of living roofs proposed) shall be submitted to and approved by the Local Planning Authority in writing. This must include a detailed maintenance plan, details of its construction and the materials used, to include a section at a scale of 1:20, and full planting details. The substrate depth should vary between 80mm and 150mm with peaks and troughs, but should average at least 130mm. The design and planting scheme should be informed by a site biodiversity assessment and reflect the local conditions and species of interest. Extensive living roofs should be planted with 16 plugs per sqm. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

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.

- 22 ***Before the relevant part of each Phase commences full details of a lighting strategy, to include information about potential light spill on to buildings, trees and lines of vegetation, shall be submitted to an approved by the Local Planning Authority in writing. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 23 ***Before the relevant part of each Phase commences the applicant shall provide the Council for approval in writing:
- a) evidence that a bat licence has been obtained from Natural England; and
 - b) details of bat roost re-provision, if required.

The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 24 ***All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then before the relevant part of each Phase commences a suitably qualified ecologist shall be employed to check the areas concerned immediately to ensure that no nesting or nest-building birds are present, and a report of the ecologist's findings shall be provided to the Council for approval in writing. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 25 The development shall not be carried out otherwise than in accordance with the details hereby approved in the Biodiversity Strategy dated January 2013 reference 121156, and shall be fully implemented before the relevant phase of the development is first occupied.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 26 ***No development shall commence until a surface water drainage scheme for the site, based on the approved Flood Risk Assessment dated January 2012 reference K640-01 has been submitted to and approved in writing by the local planning authority. The scheme shall include all the 1,278sqm green roofs as proposed and a reduction in surface water run-off rates to 45.61l/s for the whole site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. 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 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies.

- 27 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

For each of the octave bands of centre frequencies 63Hz-8KHz inclusive, noise levels from all plant/equipment (measured in LAeq) when in operation shall at all times add not more than 1 decibel to the existing background noise level LA90, expressed in dB(A), in the same octave band as measured 1 metre external to sensitive facades.

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.

- 28 Noise levels arising from external sources within all habitable rooms during the night period (23:00 - 07:00) shall not exceed 30dB LAeq (8 hours) nor 45dB LAm_{ax} (fast). Similarly, noise levels in habitable rooms shall not exceed 35 dB LAeq (16 hours) during the day time (07:00 - 23:00). Before the relevant part of each Phase commences details of sound insulation measures for all relevant residential windows shall be submitted to and approved in writing by the Local Planning Authority. The approved sound insulation measures shall be installed prior to occupation of any of the residential units, and retained and maintained thereafter.

Reason: To safeguard the amenities of occupiers of the proposed use 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.

- 29 ***Before the relevant part of each Phase commences details of a vibration mitigation scheme to protect the residential properties against vibration (including transportation sources and building services plant) shall be submitted and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation and remain in place for the lifetime of the development.

Reason: To safeguard the amenities of occupiers of the proposed use 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.

- 30 The community use facility hereby permitted shall not operate out outside 22:00 and 08:00 Mondays to Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP12 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 31 ***No impact piling works shall take place on each Phase of development until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with the relevant water or sewerage undertaker. Any piling shall be undertaken only in strict accordance with the approved method statement.

Reason: To safeguard the existing public sewer infrastructure, in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy.

- 32 ***Before development of each Phase commences the applicant shall submit to the Council:

- a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas; and
- b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary] shall be submitted to and approved by the local planning authority.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written verification report detailing the remediation shall be submitted to and approved by the local planning authority prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local

Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 33 ***Before the relevant part of each Phase development commence a suitably qualified chartered engineer with membership of the appropriate professional body shall be appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 34 The development hereby permitted shall be carried out in accordance with the following approved plans: 809_01_07_001 P1; 002 P1; 010 P1; 020 P1; 021 P1; 022 P1; 030 P1; 041 P1; 042 P1; 043 P1. 809_01_07_100 P2; 101 P4; 102 P3; 103 P2; 104 P2; 105 P2; 106 P2; 107 P2; 108 P2; 109 P2; 200 P2; 201 P2; 202 P1; 203 P1; 204 P2; 300 P1; 301 P1; 400 P2; 401P1; 402 P2; 403 P1; 404 P1; 405 P1; 406 P2; 407 P2; 408 P2; 409 P2; 410 P1; 500 P1; 501 P1; 502 P1; 503 P1; 504 P1. D0159_004 B; 005 B. 809_01_07_150 P1; 151 P1; 152 P1; 153 P1; 154 P1; 155 P1; 156 P1; 157 P1; 158 P1.

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

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 2363).
- 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 Environmental Health Service,

Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email env.health@camden.gov.uk or on the website www.camden.gov.uk/pollution) 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 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 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

- 4 For each condition that begins with ‘***’ it will be necessary for the developer of either Phase 1 or Phase 2 to submit separate details in regards to discharging the condition for their particular Phase. In essence the condition will require two separate discharges given the phased nature of the development.
- 5 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.
- 6 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.
- 7 You are advised that the biodiversity information/ecological assessment provided

as part of this application will be made available to Greenspace Information for Greater London [GIGL], the capital's environmental records centre. This will assist in a key principle of PPS9 (Biodiversity and Geological Conservation) by building up the data base of up-to-date ecological information and this will help in future decision making.

- 8 Under Section 25 of the GLC (General Powers) Act 1983, the residential accommodation approved is not permitted for use as holiday lettings or any other form of temporary sleeping accommodation defined as being occupied by the same person(s) for a consecutive period of 90 nights or less. If any such use is intended, then a new planning application will be required which may not be approved.
- 9 Reasons for granting planning permission.
The proposed development is in general accordance with the London Borough of Camden Local Development Framework with particular regard to CS1 - distribution of growth, CS4 - areas of more limited change, CS5 - managing impact of growth, CS6 - providing quality homes, CS10 - supporting community facilities and services, CS11- sustainable travel, CS13 - tackling climate change, CS14 - high quality places and conserving heritage, CS15 - parks, open spaces and biodiversity, CS16 - health and wellbeing, CS17 - safer places, CS18 - waste and recycling, CS19 - delivering and monitoring the Core Strategy, DP2 - making full use of housing capacity, DP3 - contributions to the supply of affordable housing, DP5 - homes of different sizes, DP6 - lifetime homes and wheelchair homes, DP9 - student housing, bedsits and other housing with shared facilities, DP15 - community and leisure uses,
- 10 Reasons for granting planning permission continued...
DP16 - transport implications of development, DP17- walking, cycling and public transport, DP18 - parking standards, DP19 - managing the impact of parking, DP20 - movement of goods and materials, DP21 - highway network, DP22 - promoting sustainable design and construction, DP23 - water, DP24 - high quality design, DP25 - conserving Camden's heritage, DP26 - impact on occupiers and neighbours, DP27 - basements, DP28 - noise and vibration, DP29 - improving access, DP31 - open space and outdoor recreation and DP32 - air quality and clear zone. Furthermore the proposal accords with the specific policy requirements in respect of the following principal considerations:- The site would be sensitively regenerated to its optimal potential for much needed housing whilst enhancing the character and appearance of the Redington and Froggnal Conservation Area, enhancing its existing rich biodiversity value and retaining the Hampstead School of Art for the benefit of the community.

Conditions and Reasons **2013/0698/C**:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The demolition of buildings on phase 1 land hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of

the phase 1 land has been made and full planning permission has been granted for the redevelopment for which the contract provides.

Reason: To protect the visual amenity of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The demolition of buildings on phase 2 land hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the phase 2 land has been made and full planning permission has been granted for the redevelopment for which the contract provides.

Reason: To protect the visual amenity of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.



Application No: 2013/0685/P

**328-338 Finchley Road 2-6 Platt's Lane
17A 19-29 Kidderpore Avenue
Former Caroline Skeel Library**

**Scale:
1:1250
Date:
12-Jul-13**



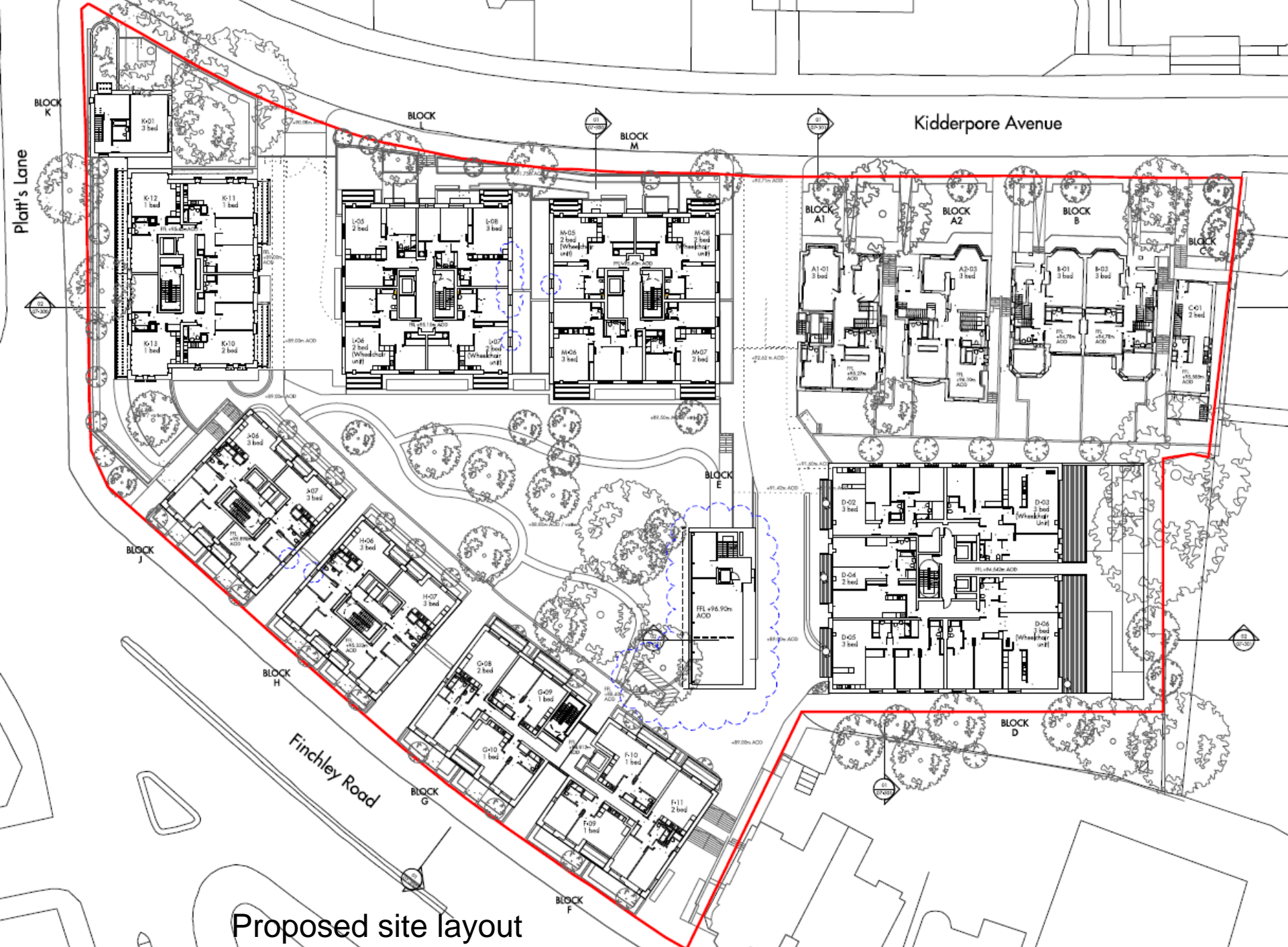
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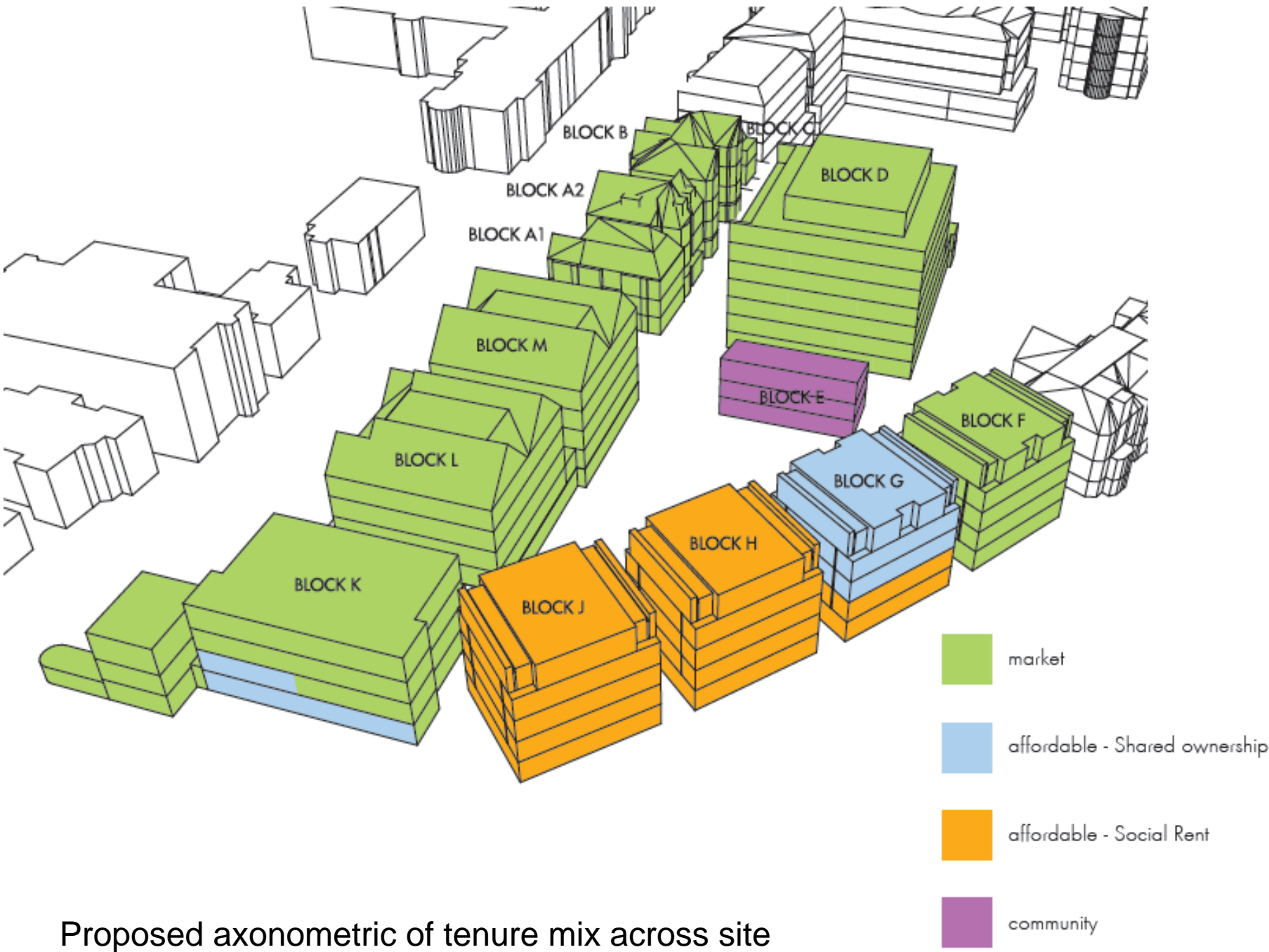
Site location and phase boundary



Birdseye



Proposed site layout



Proposed axonometric of tenure mix across site



Existing view along Finchley Rd looking north



Proposed view along Finchley Rd looking north



Exiting view from Finchley Rd

Block F

Block D



Proposed view from Finchley Rd: new block F and refurbished library becoming block D



Existing view from Finchley Road looking to Platt's Lane junction

Block K



Proposed view from Finchley Road looking to Platt's Lane junction



Existing view from Platt's Lane up Kidderpore Avenue



Existing view from Platt's Lane up Kidderpore Avenue



Block K

Proposed view from Platt's Lane up Kidderpore Avenue, block K on corner



Existing view from Kidderpore Avenue, looking towards library (block D)



Proposed view from Kidderpore Avenue, looking towards library (block D)



Existing view along Kidderpore Avenue, towards Platt's Lane



Proposed view along Kidderpore Avenue, with new blocks M and L



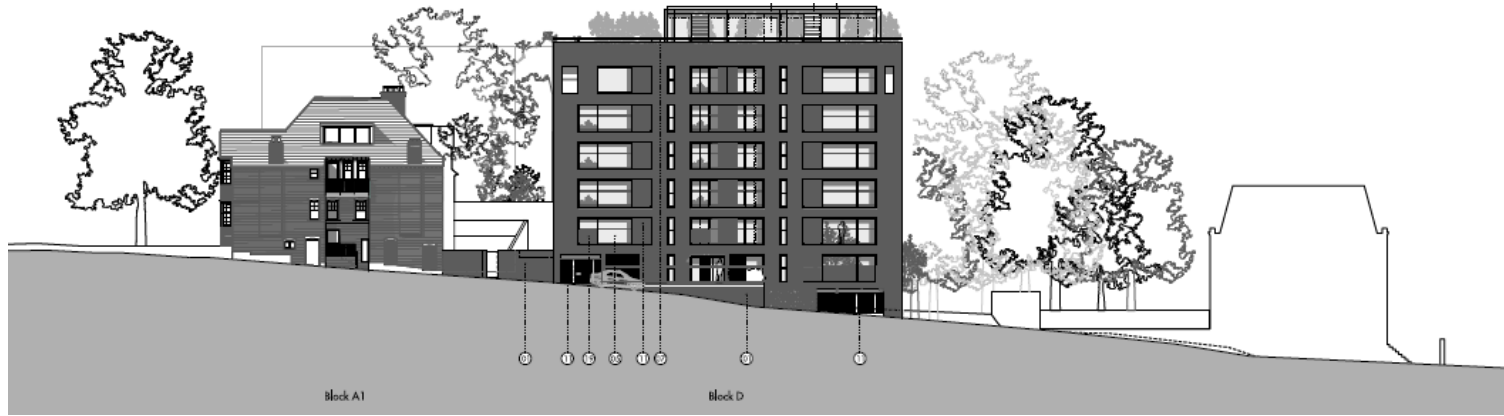
View across the central open space towards block D and the new community building (in buff brick)

Kidderpore Avenue elevation

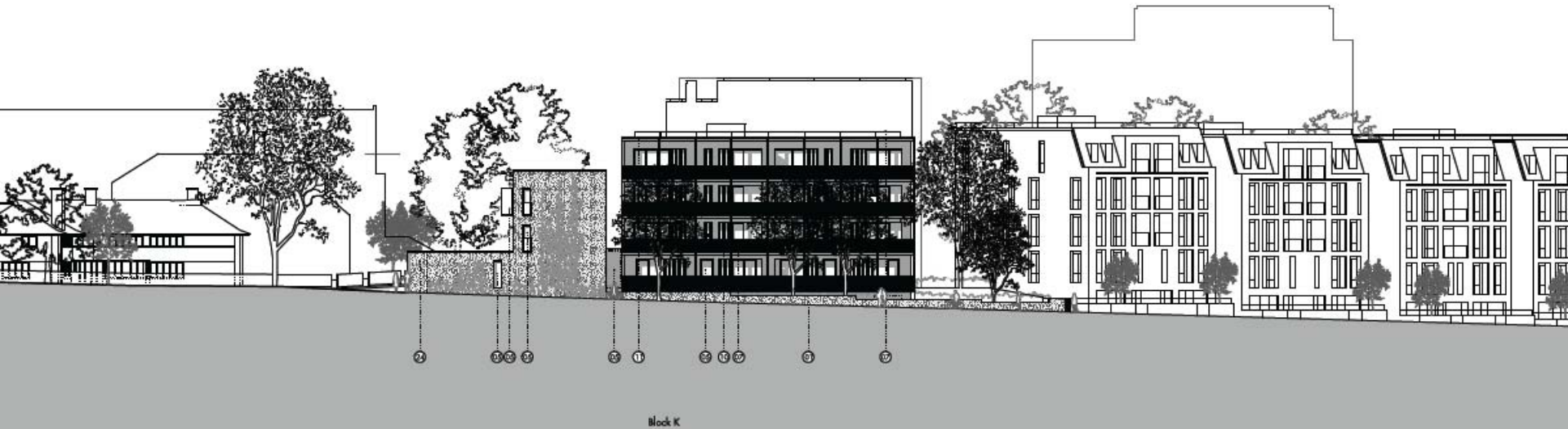


Finchley Rd elevation

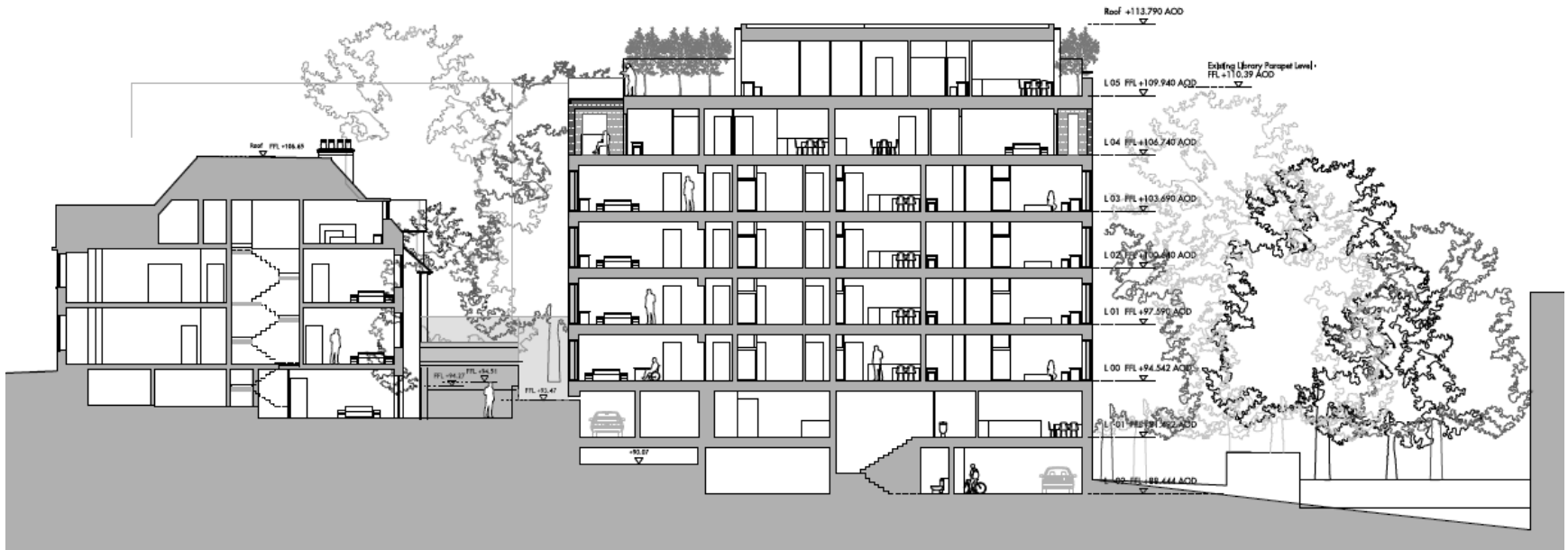




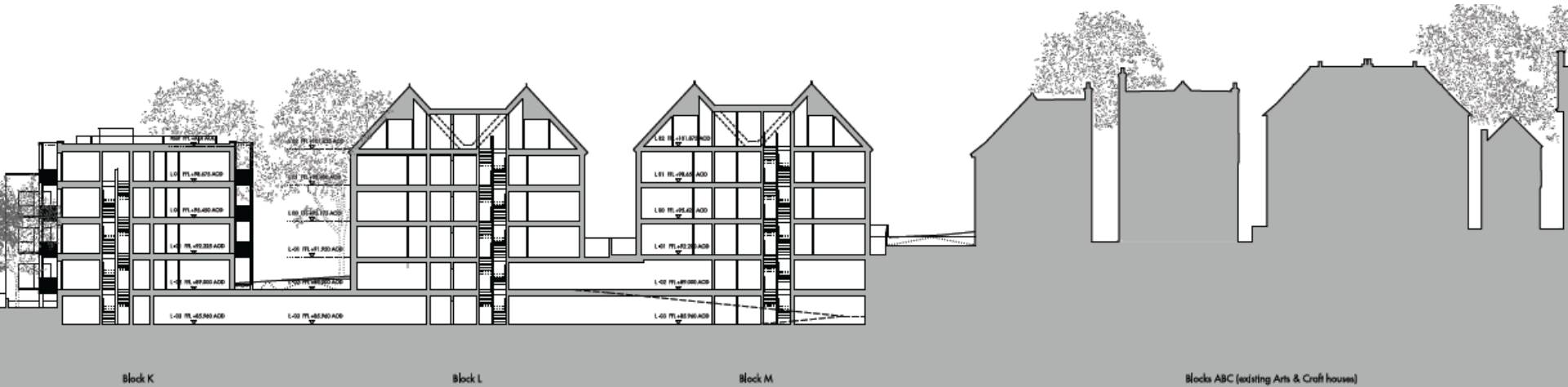
Block D courtyard elevation



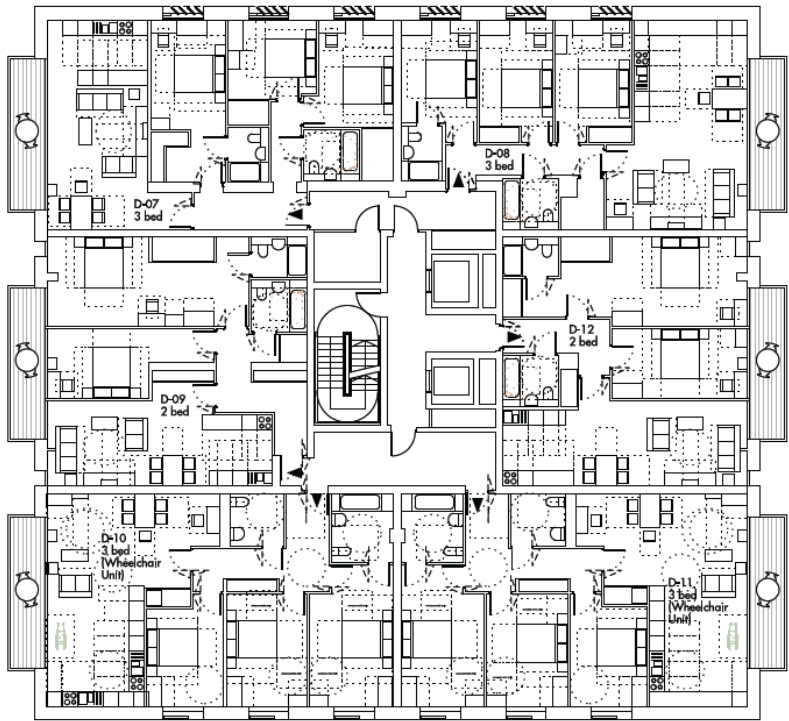
Platt's Lane elevation



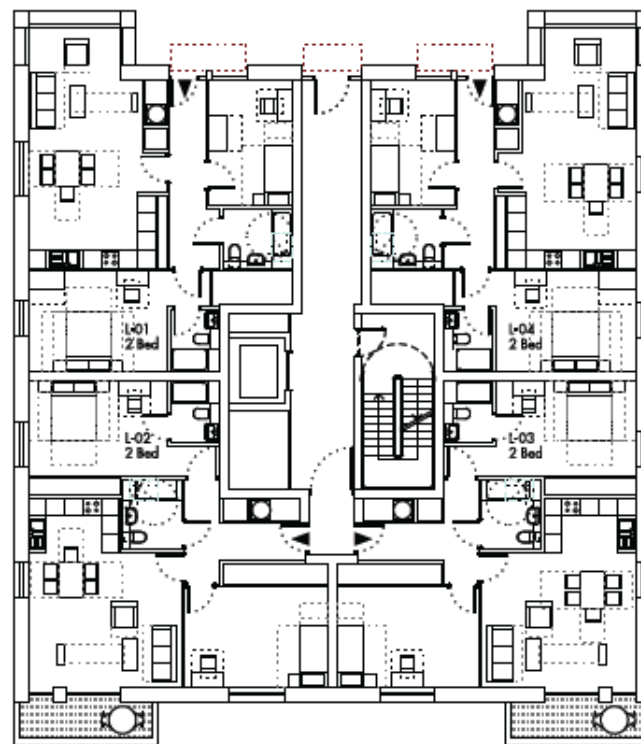
Section through blocks A and D
(from courtyard)



Section through blocks K, L and M (from courtyard)



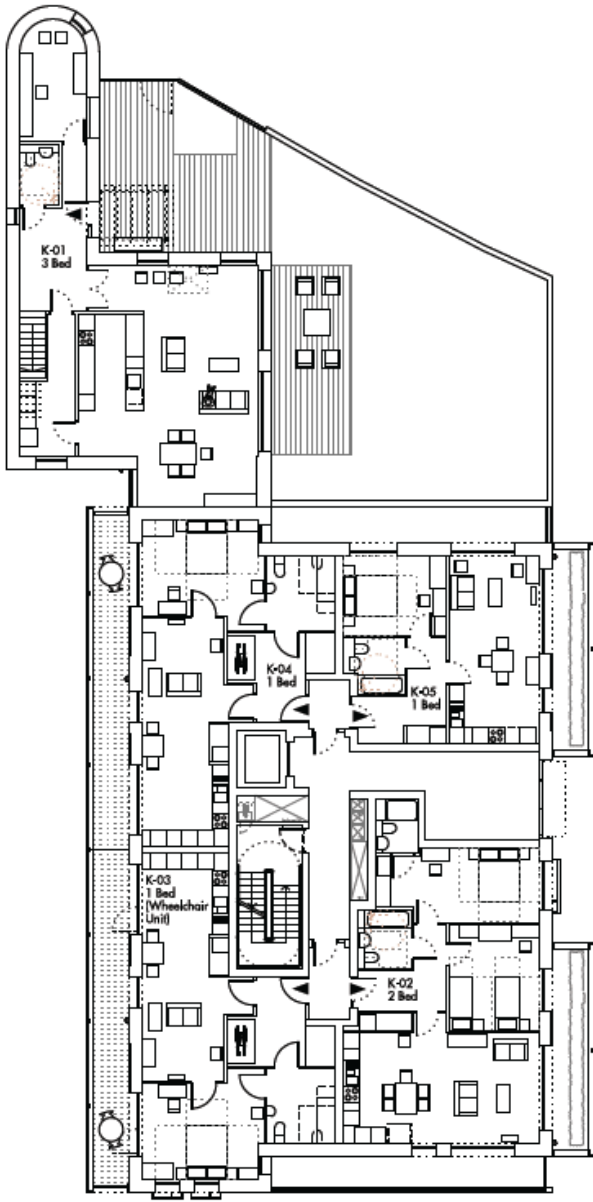
Typical floor plan of block D (library)



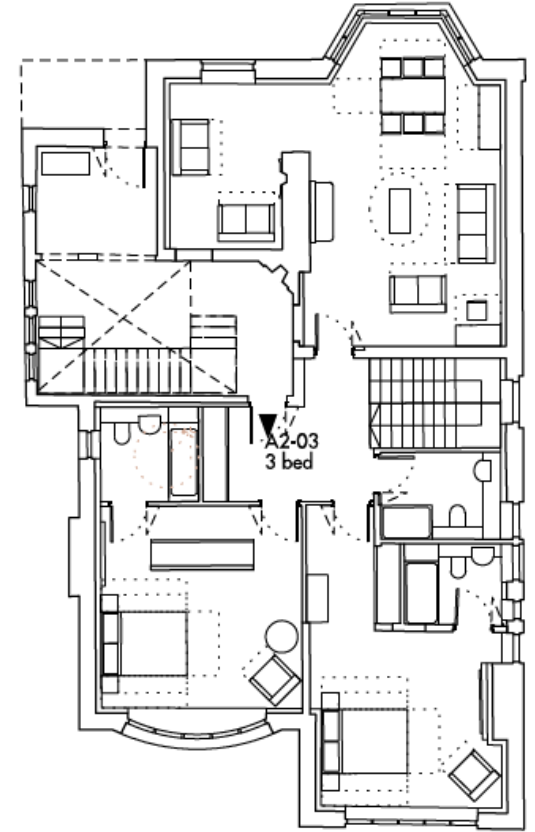
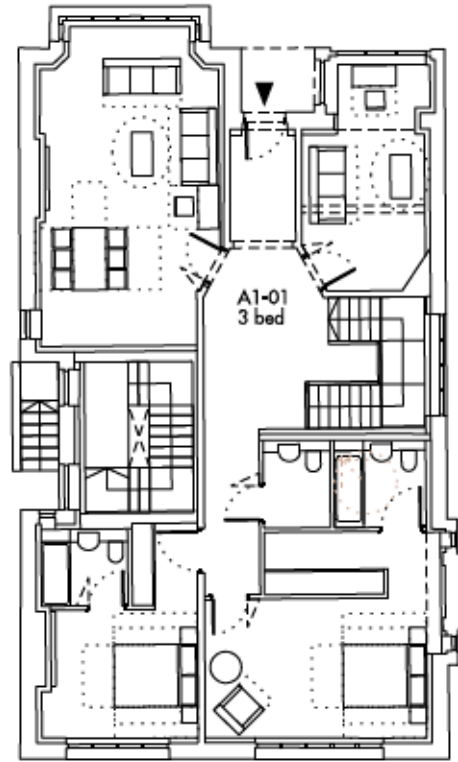
Typical floor plan of block L/M facing Kidderpore Ave



Typical floor plan of block facing Finchley Rd



Ground floor plan of block K



Typical floor plan of converted buildings on Kidderpore Avenue