

Appendix 1 Local Plan (Adoption Draft)

Camden Local Plan
Adoption version
June 2017

- 3.5 This section of the Plan relates to all forms of housing where people live long-term, including:
- self-contained houses and flats (as defined in paragraph 3.6 on page 41);
 - live/ work units (homes with a dedicated work area) – we will treat them as self-contained homes for the purposes of Local Plan policy;
 - houses, flats, hostels and student halls shared by multiple occupiers who do not live as a family but are long-term residents sharing some rooms and/ or facilities
 - nursing homes, care homes and parts of hospitals where people live long-term, such as nurses' accommodation;
 - plots provided to people wishing to build their own homes;
 - accommodation for Camden's established traveller community; and
 - residential accommodation that is ancillary to another use, such as a living area attached to a business and used by caretakers or other staff.
- 3.6 Self-contained houses and flats are defined as homes where all the rooms, including the kitchen, bathroom and toilet, are behind a door that only one household can use (2011 Census Glossary of Terms). In most cases these homes fall in Use Class C3, however the Council will also regard the following as self-contained homes when applying Local Plan policies and monitoring housing delivery:
- self-contained homes provided in conjunction with another use, notably live/ work units (homes with a dedicated work area), which are usually considered to be sui generis (in a class of their own); and
 - small houses in multiple occupation (Use Class C4), which can change to Use Class C3 without a planning application under the freedom provided in legislation. Where the freedom to change to Use Class C3 has been removed (e.g. by a planning condition), the Council will regard small houses in multiple occupation as non self-contained housing.
- 3.7 Accommodation where people stay for short periods is covered elsewhere in the Plan. Specifically:
- hospitals and care facilities where patients and staff are only present on a temporary or working-hours basis are covered by "Policy C2 Community facilities"; and
 - hotels, serviced apartments and hostels aimed at tourists and backpackers are covered by "Policy E3 Tourism".

Policy H1 Maximising housing supply

The Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing and exceeding a target of 16,800 additional homes from 2016/17 - 2030/31, including 11,130 additional self-contained homes.

We will seek to exceed the target for additional homes, particularly self-contained homes by:

- a. regarding self-contained housing as the priority land-use of the Local Plan;

- b. working to return vacant homes to use and ensure that new homes are occupied;
- c. resisting alternative development of sites identified for housing or self-contained housing through a current planning permission or a development plan document unless it is shown that the site is no longer developable for housing; and
- d. where sites are underused or vacant, expecting the maximum reasonable provision of housing that is compatible with any other uses needed on the site.

We will monitor the delivery of additional housing against the housing target, and will seek to maintain supply at the rate necessary to exceed the target. In seeking to maintain the housing supply, the Council will adjust the type and mix of housing sought, having regard to the financial viability of development, the sales or capital value of different house types and tenures, and the needs of different groups.

Camden's housing needs and targets

- 3.8 The National Planning Policy Framework (NPPF) requires the Council to plan to meet the full objectively assessed needs for housing in the area. The London Boroughs of Camden and Islington have been identified as a lower tier housing market area for the purposes of satisfying the NPPF requirements, and the two authorities have jointly commissioned an assessment of housing needs (Strategic Housing Market Assessment or SHMA). The assessment shows that Camden's full objectively assessed housing need for 2016-2031 is 16,800 additional homes, or 1,120 homes per year. This overall need includes the homes needed to meet the needs of different groups within the community, including families with children and people with disabilities.
- 3.9 The Council produces an Authority Monitoring Report (AMR) each year which separately monitors the overall delivery of additional homes and different types of homes each year (self-contained homes, student housing, other non-self-contained homes and long-term vacant homes returned to use). The AMR also contains a housing trajectory which shows how we will continue to deliver self-contained homes and non-self-contained homes and measures Camden's anticipated performance against targets. The Council has produced a new housing trajectory to show how the Plan will meet the full objectively assessed housing need, and this is included in the Local Plan as Appendix 4. In accordance with the NPPF, the trajectory adds a 5% buffer to housing targets during the first five years, which is moved forward from later years. The trajectory therefore adopts an annual target of 1,176 additional homes for the period 2016/17 to 2020/21, and an annual target of 1,092 for the period 2021/22 to 2030/31.
- 3.10 The housing trajectory indicates that there are sufficient identified sites in place to provide just over 17,100 additional homes from 2016/17 to 2030/31 and exceed our housing targets throughout the Plan period. Deliverable sites are in place to provide more than 7,100 homes from 2016/17 to 2020/21, approximately 1,420 additional homes per year, comfortably exceeding the target of 1,176 per year (deliverable sites are sites that are suitably located, viable and available to develop now, and that have a realistic prospect of

delivery within five years). Over the first 10 years of the Plan period, the trajectory indicates that developable sites have been identified to deliver an average of around 1,150 additional homes per year, and over the entire plan period identified sites should deliver just under 1,140 additional homes per year (developable sites are sites that are suitably located and have a reasonable prospect of being viable and available to develop at the time envisaged).

- 3.11 We will update the housing trajectory regularly to take into account new sources of supply and maintain a five-year supply of deliverable sites together with a 5% buffer, and will publish the updated trajectory in future Authority Monitoring Reports.

Conformity with the London Plan

- 3.12 The London Plan 2015 estimates the need for additional homes across London as at least 49,000 per year, calculated on the basis of household projections from 2011 to 2035 together with existing housing needs and further needs arising from undersupply of housing from 2011 to 2015. Based on the supply of land across London and its capacity to deliver additional homes, the London Plan also sets out a minimum target of 42,000 additional homes per year across London up to 2025, and minimum monitoring targets for each borough.
- 3.13 The minimum London Plan monitoring target for Camden is 8,892 additional homes from 2015-2025, or 889 per annum. Boroughs are advised that they should seek to achieve and exceed the minimum target, and set higher Local Plan targets to close the gap between London's housing need and capacity in line with the NPPF. Camden's target of 1,120 additional homes per year is therefore in conformity with the London Plan requirements for housing targets.
- 3.14 The London Plan disaggregates the overall monitoring target into housing supply arising from development ('conventional supply') and increases in housing supply arising from vacant homes returning to use. Targets for vacant homes returning to use are based on the number that would need to return to use each year over a 10-year period to reduce the proportion of the long-term vacant homes to 0.75% of total stock. For Camden the target is 32 homes per year, or 480 homes in total extended across the Local Plan period, and the Council will use this 15-year target for the purposes of monitoring the Local Plan.

Maximising housing supply

- 3.15 As noted in paragraph 3.12, the London Plan 2015 indicates that the number of additional homes needed across London exceeds the identified capacity for additional homes by at least 7,000 per year. The London Plan also indicates that on the basis of short-term trends, the capital's need for housing could be as high as 62,000 homes per year, 20,000 more than the identified capacity. Consequently, there is a need for all London boroughs to maximise housing delivery.
- 3.16 Similarly, the London Plan sets a minimum monitoring target for Camden of 889 additional homes per annum based on capacity, over 200 homes short of Camden's full objectively assessed need. As indicated in paragraphs 3.10 and 3.11, the Council considers that additional capacity is available in the borough to meet the assessed need. However, meeting needs in Camden will still be

challenging. Analysing short-term trends rather than long-term trends, the GLA has projected a potential increase in the number of Camden households by as many as 1,270 each year, compared with our target of 1,120 additional homes per year. To meet Camden's housing needs as far as possible the Council will therefore seek to ensure that all available sites deliver as much additional housing as possible.

The target and priority for self-contained homes

- 3.17 The 2011 Census indicated that Camden has over 220,000 usual residents. Of these, almost 8,000 live in communal establishments, and just under 5,400 live as separate households in shared dwellings. Over 90% of Camden's usual residents live in self-contained homes as part of a household of related people or as single person households (self-contained houses and flats are defined in paragraph 3.6 of the Local Plan). Usual residents of self-contained homes include 40,000 people living in multi-adult households such as groups of friends and flat-shares (18% of all usual residents). In many cases these residents are not related to the other occupiers of their home, so although they currently live in self-contained homes they could potentially live in non self-contained housing in the future.
- 3.18 Self-contained homes have the greatest potential to provide for a variety of household types with a reasonable standard of privacy and amenity. They generally have the space and flexibility to provide for people whether they are young or old, single people (often sharing), couples or families, and disabled people or people who need a carer for certain activities or overnight. Non self-contained housing with shared facilities is generally aimed at a particular group or household type (e.g. students or single people). This accommodation can be the best way of tailoring facilities or support to suit the characteristics of a particular group, but provide less flexibility for alternative occupiers and can create a greater risk of conflict between people with different cultures and lifestyles.
- 3.19 The London Plan does not disaggregate housing monitoring targets into self-contained homes and non self-contained housing. However, the targets were based on the London Strategic Housing Land Availability Assessment (SHLAA) 2013, which derived borough targets from separate assessments of capacity for the two housing types. Capacity for self-contained homes was based on the assessed capacity of potential sites across London measuring 0.25 ha or more along with local plan allocations, the pipeline of developments of self-contained housing with planning permission, and past rate of delivery from sites of under 0.25 ha.
- 3.20 The London SHLAA assessed Camden's capacity for additional self-contained homes from 2015-2025 as 3,935 homes from sites of 0.25 ha or over and 3,489 from smaller sites, or 7,424 in total. We have converted this assessment of capacity into a specific target for self-contained homes in Camden, which will be used for the purposes of monitoring the Local Plan. Camden's annualised target for additional self-contained homes is 742 homes per year, extrapolated to 11,130 homes over the 15-year Local Plan period.
- 3.21 Camden and other parts of Central London have experienced large growth in student numbers in recent years, accompanied by pressure for substantial

increases in the amount of purpose-built student housing. The 2011 Census indicated that over 25,000 full-time students aged 18 or over were resident in Camden during term-time, or 11.4% of the usual resident population, compared with approximately 17,400 in 2001 (or 8.8% of residents). On the basis of development from 1999-2012, the London Plan states that 57% of additional student housing has been concentrated in the four Central London boroughs of Islington, Tower Hamlets, Southwark and Camden.

3.22 Student housing has become an increasingly popular development option as an alternative to self-contained housing because student housing has benefited from increasing rents, low vacancy rates and the absence of any conventional affordable housing requirements. Given these concerns we have specifically identified self-contained housing and the Plan's priority land-use (self-contained houses and flats are defined in paragraph 3.6 on page 41). In Camden, 1,200 additional student bedrooms were completed in 2013/14 alone (compared with close to 400 additional self-contained homes). Concerns have emerged across Central London that development of self-contained homes could be severely squeezed by proposals for new student housing. The London Plan therefore advises that Local Plans should address student housing requirements without compromising capacity for conventional homes, and encourages a more dispersed distribution of future provision.

3.23 Given these concerns we have specifically identified self-contained housing as the Plan's priority land-use. We have set out a minimum target for student housing in "Policy H9 Student housing", but we will also seek to ensure that there is sufficient land available to meet Camden's need for additional self-contained homes. The existing stock of self-contained homes in Camden includes many different types of homes in several tenures, and similarly the Plan's priority land-use encompasses self-contained homes from the affordable, owner-occupied and private rented sectors.

Ensuring homes are occupied

3.24 In October 2013, almost 1,300 homes in Camden had been vacant for 6-months or more, approximately 1.3% of the borough's housing stock, compared with 0.6% across London. An element of vacancy in the housing stock is inevitable, reflecting homes in the process of renovation or changing hands. The 2013 London Strategic Housing Land Availability Assessment has derived The London Plan targets on the basis that the long-term vacancy rate should not exceed 0.75% of the housing stock.

3.25 The London Plan sets a monitoring target for 32 long-term vacant homes in Camden to return to use each year. Given the pressure on the housing stock, returning vacant homes to use is a high priority, and the Council will seek to exceed the London Plan monitoring target. The Council currently discourages long-term vacancies by charging the maximum rate of 150% Council Tax on homes vacant for 2 years or more. We also employ empty property officers to work with owners, ensuring homes are in a suitable condition for occupation and matching them up with tenants. The Council will seek to apply Local Plan policies flexibly where this is appropriate to enable refurbishment of a property that would otherwise remain vacant.

- 3.26 There is some evidence that an increasing proportion of homes in and around Central London are bought by investors who do not live in them or rent them out. The Mayor is seeking to address this by encouraging developers to sign up to his New Homes for Londoners Concordat which commits them to making homes in their developments available for sale to Londoners before, or at the same time as they are available to buyers from other countries. The Council will explore using legal agreements to ensure that homes are marketed and available for sale in Camden for at least two months before they are marketed more widely. The Council will also explore further ways to ensure that investment homes are made available for occupation, for example by encouraging new owners to use our pilot local letting agency Camden Homes. More details of measures to encourage occupation and discourage vacancy will be included in supplementary planning document Camden Planning Guidance 2: Housing where appropriate.

Resisting alternative development of identified housing sites

- 3.27 Where possible, we have identified underused sites that are suitable for additional self-contained housing or another form of housing in our development plan, and will resist an alternative use of allocated sites. However, a high proportion of the housing developments that come forward in Camden are not identified in advance because they are small sites, or were in use when sites were assessed for allocation. Given the high proportion of potential housing sites in the borough that cannot be identified in a development plan document, the Council may also resist alternative development of other sites that have an existing consent for self-contained housing or another form of housing (an existing consent is one that has not expired, or remains effective because development has been started).
- 3.28 If alternative development is proposed on a site identified for self-contained housing, we will consider whether there a reasonable prospect of a viable development for self-contained housing coming forward within the Plan period, and any other relevant material considerations such as whether the alternative development will free up a replacement site in Camden for self-contained housing, or provide an essential community facility or infrastructure that cannot be accommodated elsewhere.
- 3.29 The Council will generally treat live / work units in the same way as housing for the operation of development policies. Such premises contribute to the range of homes and the range of business premises in the borough, and the Council will not resist the development of live - work premises on sites that are considered suitable for housing provided that they include an appropriate mix of dwelling-sizes and types in accordance with other policies including H4 and H7. Further information on our approach to live-work premises is provided in the section of the Plan dealing with the economy and jobs.

Making the best use of sites to deliver housing

- 3.30 Where vacant or underused sites are suitable for housing in terms of accessibility and amenity, and free of physical and environmental constraints that would prevent residential use, we will expect them to be redeveloped for

housing unless:

- the Plan seeks to protect existing uses on site, such as business premises, community uses and shops;
- the site is needed to meet other plan priorities for the area, particularly in the Hatton Garden area and other parts of Central London;
- the site is identified for another use in our development plan documents; or
- it is demonstrated to the satisfaction of the Council that a housing development would not be financially viable.

- 3.31 Where non-residential uses are required on the site, the Council will seek mixed- use schemes including the maximum appropriate provision of housing. More details of our approach to the inclusion of housing in mixed-use developments are set out in “Policy H2 Maximising the supply of self-contained housing from mixed-use schemes”.
- 3.32 The London Plan’s Sustainable Residential Quality density matrix has been developed as a tool to help boroughs seek the maximum appropriate provision of housing on each site while maintaining residential quality, taking account of public transport accessibility, respecting local context and ensuring an appropriate mix of homes of different sizes. To ensure we make the best use of sites for housing, we use the London Plan’s density matrix (London Plan Table 3.2) to seek the maximum housing density appropriate to the site (i.e. the most homes or rooms that can appropriately be delivered in a given site area).
- 3.33 Given that the majority of the borough has relatively high public transport accessibility and is suitable for development of flats, densities should be towards the higher end of the appropriate density range, and should generally fall within the cells towards the right and bottom of the matrix, i.e. 45 to 405 dwellings per hectare. This broad range is designed to encompass areas with widely different characters, including low rise terraces, mansion blocks and mixed commercial areas with building heights of four-storeys or more. Where the top end of the range applies a plot can provide nine times as many homes as an equivalent plot where the bottom end of the range applies.
- 3.34 The density matrix should be seen as a guide rather than a prescriptive tool, and will be applied flexibly taking into account all aspects of local character including heritage assets, protected views and open spaces, whilst also having regard to the borough’s acute housing needs. To respect local character we will expect developers to explore whether increased density can best be achieved through the use of medium rise development and traditional urban forms rather than focussing only on high rise options. We will also recognise that it may be appropriate to exceed or fall below the relevant density range on certain sites where this is justified by context and form of the development.
- 3.35 When using the London Plan density matrix, the Council will refer primarily to dwelling densities, measured in units per hectare. The London Plan density matrix assumes that the number of habitable rooms per dwelling will average between 2.7 and 4.6. However, there is a significant market in Camden for very large homes that have many more rooms than occupiers. Developments including dwellings with significantly more than 5 habitable rooms may give inconsistent results against the density matrix, showing an appropriate density in terms of habitable rooms, but an inappropriately low density in terms of dwellings. Assessing density in terms of units per hectare will help the Council

to seek a range of dwelling sizes that supports mixed and inclusive communities and help us to avoid concentrations of very large homes.

Flexible implementation

- 3.36 Despite the financial crisis of 2007-08, house prices in Camden had recovered to 2007 levels by mid-2010 and have continued to rise. The Council is currently receiving applications for a high level of residential development, with permission granted in 2013-14 for over 850 additional self-contained homes. This suggests that developers expect continued increases in Camden's house prices.
- 3.37 However, the viability of housing development has not fully recovered from the financial crisis. Some sites are constrained by acquisition prices that could not now be supported, lending to developers and to purchasers is more restricted than previously, lenders are less willing to take risks and both lenders and developers expect financial viability assessments to indicate higher profit levels than previously. There is also uncertainty about the future, with expectations that interest rates will rise, concerns about the impact of a rate rise on borrowers, and concerns that current economic growth is fuelled by unsustainable debt.
- 3.38 Given these uncertainties, there is a need to monitor the supply of housing very closely, and make adjustments to the way we implement our Local Plan policies to ensure that our targets for additional homes are met. If overall housing supply appears to be threatened by economic conditions, there are a number
- 3.39 of areas of flexibility in the Council's policy approach that will enable us to tailor our objectives to the particular circumstances of each proposal with a view to maximising delivery. These include:
- varying the proportion of market and affordable housing;
 - varying the split between social-affordable rented housing and intermediate affordable housing;
 - positively considering different forms of intermediate affordable housing to take advantage of the funding and credit that is available;
 - varying the range of home sizes sought, particularly amongst market housing; and
 - reviewing the range of Section 106 requirements sought to maintain viability.
- 3.40 In negotiating the range of housing types and sizes on individual sites, including the proportion and range of affordable housing, the Council will have regard to the characteristics and constraints of the site and the area, progress towards meeting Camden's overall housing target, the financial viability of the development, the contribution the development makes to the creation of mixed communities, and the Council's other Local Plan objectives.
- 3.41 In seeking to secure the future supply of additional housing, we will work in partnership with many other organisations and agencies involved in the development and funding of housing and affordable housing. These will include our developers, landowners and private landlords, Housing Associations and other affordable housing providers, the Mayor and GLA and other local authorities – particularly councils in Central and North London, government departments and government agencies.

Maximising the supply of self-contained housing from mixed use schemes

- 3.42 Policy H2 applies to all proposals for new build non-residential development and extensions involving a significant floorspace increase. Policy H2 also applies to all non-residential uses, including hotels and other visitor accommodation and non-residential institutions. However, a mix of uses may not be sought in all circumstances, and criteria are included in the policy to guide whether a mix should be sought.
- 3.43 Policy H2 specifically seeks provision of self-contained houses and flats (Use Class C3), rather than other forms of housing, in line with the priority land-use of the Plan set out in “Policy H1 Maximising housing supply”.

Policy H2 Maximising the supply of self-contained housing from mixed-use schemes

To support the aims of Policy H1, where non-residential development is proposed the Council will promote the inclusion of self-contained homes as part of a mix of uses.

- In all parts of the borough the Council will encourage the inclusion of self-contained homes in non-residential development.
- In the Central London Area and the town centres of Camden Town, Finchley Road/ Swiss Cottage and Kilburn High Road, where development involves additional floorspace of more than 200 sqm (GIA), we will require up to 50% of all additional floorspace to be self-contained housing, subject to the following considerations.

In the specified areas, the Council will consider whether self-contained housing is required as part of a mix of uses taking into account:

- a. the character of the development, the site and the area;
- b. site size, and any constraints on developing the site for a mix of uses;
- c. the priority the Local Plan gives to the jewellery sector in the Hatton Garden area;
- d. whether self-contained housing would be compatible with the character and operational requirements of the proposed non-residential use and other nearby uses; and
- e. whether the development is publicly funded or serves a public purpose.

Where housing is required as part of a mix of uses, we will require self-contained housing to be provided on site, particularly where 1,000sq m (GIA) of additional floorspace or more is proposed. Where the Council is satisfied that providing on-site housing is not practical or housing would more appropriately be provided off-site, we will seek provision of housing on an alternative site nearby, or exceptionally a payment-in-lieu.

Maximising the supply of affordable housing

- 3.83 Policy H4 applies primarily to the following types of housing:
- self-contained houses and flats (Use Class C3);
 - live/ work units, which are self-contained homes that include a dedicated work area (not in any planning use class, we will treat them as Use Class C3 when we apply Local Plan policies); and
 - houses and flats shared by 3-6 occupiers who do not live as a family but are long-term residents sharing some rooms and/ or facilities (small houses in multiple occupation or HMOs, Use Class C4).
- 3.84 We will also apply Policy H4 to other types of housing, subject to the provisions of Plan policies relevant to the particular housing type, although the mechanics of considering and securing affordable housing provision may vary having regard to Policy H4 criteria (j) to (p). In particular, we will consider Policy H4 when assessing proposals for:
- houses or flats shared by more than six occupiers who do not live as a family but are long-term residents sharing some rooms and/ or facilities (large houses in multiple occupation or HMOs, outside any planning use class) (see also Policy H10); and
 - housing for older people and vulnerable people (potentially in Use Classes C2 or C3, or outside any planning use class) (also see Policy H8).

Policy H4 Maximising the supply of affordable housing

The Council will aim to maximise the supply of affordable housing and exceed a borough wide strategic target of 5,300 additional affordable homes from 2016/17 - 2030/31, and aim for an appropriate mix of affordable housing types to meet the needs of households unable to access market housing.

We will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100 sqm GIA or more. The Council will seek to negotiate the maximum reasonable amount of affordable housing on the following basis:

- a. the guideline mix of affordable housing types is 60% social-affordable rented housing and 40% intermediate housing;
- b. targets are based on an assessment of development capacity whereby 100 sq m (GIA) of housing floorspace is generally considered to create capacity for one home;
- c. targets are applied to additional housing floorspace proposed, not to existing housing floorspace or replacement floorspace;
- d. a sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes,

- starting at 2% for one home and increasing by 2% of for each home added to capacity;
- e. an affordable housing target of 50% applies to developments with capacity for 25 or more additional dwellings;
- f. for developments with capacity for 25 or more additional homes, the Council may seek affordable housing for older people or vulnerable people as part or all of the affordable housing contribution;
- g. where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment-in-lieu of affordable housing;
- h. for developments with capacity for 10 or more additional dwellings, the affordable housing should be provided on site; and
- i. where affordable housing cannot practically be provided on site, or off-site provision would create a better contribution (in terms quantity and/or quality), the Council may accept provision of affordable housing off-site in the same area, or exceptionally a payment-in-lieu.

We will seek to ensure that where development sites are split or separate proposals are brought forward for closely related sites, the appropriate affordable housing contribution is comprehensively assessed for all the sites together. The Council will seek to use planning obligations to ensure that all parts or phases of split or related sites make an appropriate affordable housing contribution.

In considering whether affordable housing provision should be sought, whether provision should be made on site, and the scale and nature of the provision that would be appropriate, the Council will also take into account:

- j. the character of the development, the site and the area;
- k. site size and any constraints on developing the site for a mix of housing including market and affordable housing, and the particular types of affordable provision sought;
- l. access to public transport, workplaces, shops, services and community facilities;
- m. the impact on creation of mixed, inclusive and sustainable communities;
- n. the impact of the mix of housing types sought on the efficiency and overall quantum of development;
- o. the economics and financial viability of the development including any particular costs associated with it, having regard to any distinctive viability characteristics of particular sectors such as build-to-let housing; and
- p. whether an alternative approach could better meet the objectives of this policy and the Local Plan.

Where the development's contribution to affordable housing falls significantly short of the Council's targets due to financial viability, and there is a prospect of viability improving prior to completion, the Council will seek a deferred contingent contribution, based on the initial shortfall and an updated assessment of viability when costs and receipts are known as far as possible.

Meaning of affordable housing

- 3.85 The government defines affordable housing in the National Planning Policy Framework. To comply with the government definition, affordable housing should:
- be provided to households whose needs are not met by the market;
 - be provided to eligible households, where eligibility takes into account local incomes and house prices;
 - remain at an affordable price for future eligible households unless the subsidy is recycled for alternative affordable housing provision.
- 3.86 The government includes three types of housing within this broad definition.
- 3.87 Social rented housing is provided at rents guided by national targets, and is mostly owned by the Council or Housing Associations.
- 3.88 Affordable rented housing is also provided to households who are eligible for social rented housing, mostly by the Council or Housing Associations. Rents are guided by local market rents rather than national targets.
- 3.89 Intermediate housing costs less than market housing but more than social rented housing and complies with the overarching government definition of affordable housing. It includes shared ownership, other low cost ownership and intermediate rent. It can also include key worker housing for groups such as health service staff, teachers and workers in emergency services. The Mayor sets caps on the income groups eligible for intermediate housing through the London Plan (updated in Annual Monitoring Reports).
- 3.90 The Council will seek planning obligations to ensure that affordable housing complies with these definitions, is available to Camden households that are unable to access market housing, and continues to be available at an affordable price in the future unless the subsidy is recycled. We will also ensure that the affordable housing is:
- delivered before or concurrently with any market housing forming part of the same proposal; and
 - delivered in strict accordance with Local Plan objectives by a provider (such as a Housing Association) approved by the Council.
- 3.91 For the purposes of this policy, social and affordable rented housing are considered together as “social-affordable rented housing”, which reflects the approach of the London Plan. Detailed information on the mix of affordable tenures and rent levels sought in Camden are included in our supplementary planning document Camden Planning Guidance 2: Housing. Following adoption of the Local Plan, the Council will consult on revised Camden Planning Guidance, taking into account the GLA Funding Guidance for London Affordable Rent and the finalised version of the Mayor’s Affordable Housing and Viability SPG, which will provide detail on the preferred mix of tenures for each borough and information on where the latest benchmark rents can be found.
- 3.92 The Housing and Planning Act 2016 provides for the introduction of Starter Homes as a way to help first-time buyers who are at least 23 years old but not yet 40 to buy their own home at a discount price. Starter Homes should be offered at a discount of at least 20% below market value and are subject to a price cap (in London the price cap has initially been set at £450,000 based on the average price paid by a first-time buyer).

- 3.93 The government has consulted on proposed Starter Homes Regulations and changes to the National Planning Policy Framework (NPPF) that would require certain types of development to include a set percentage of Starter Homes and broaden the definition of affordable housing to include homes for discount market sale. When the Starter Homes Regulations and amended NPPF are published, the Council will consider their impact on policies relating to affordable housing, provide guidance in our supplementary planning documents, and propose changes to the Local Plan if necessary. Starter Homes are considered further in Policy H6 of the Plan and supporting paragraphs.
- 3.94 More details about the categories of affordable housing and how they are controlled are given in the London Plan, the Mayor's Housing SPG and our supplementary planning document Camden Planning Guidance 2: Housing.

Strategic affordable housing target

- 3.95 The Camden Local Plan Viability Study has assessed the cumulative impact of local plan policies along with costs arising from Camden's Community Infrastructure Levy (CIL) and planning obligations. The Viability Study looks at a range of scheme types in a range of locations tested against a range of land values. The Viability Study recommends that a 50% affordable housing target should be adopted on the basis that there is potential for 50% affordable housing to be delivered by a significant number of scheme types and in a significant range of locations.
- 3.96 Camden has a particularly large requirement for additional affordable homes, estimated by the Camden SHMA to be around 10,000 homes for the 15-year Plan period. As indicated in Policy H1, on the basis of the London Plan and the London SHLAA we seek to exceed a target of 16,800 homes in total from 2016-2031, including 11,130 additional self-contained homes. To set a target for affordable housing we have estimated the level of provision likely to be viable and deliverable, taking into account the relationship between development costs, the value of market and affordable homes, the government's intention to focus housing subsidy on boosting home ownership, the income households have to spend on housing, affordable housing need, and the anticipated housing output of the Council's Community Investment Programme. Balancing these considerations, the Council considers that it is feasible for the borough to meet a strategic target of 5,300 additional affordable homes over the Plan period.

Proposals that generate an affordable housing requirement

- 3.97 The London Plan indicates that boroughs should normally require affordable housing provision from sites with capacity to provide 10 or more homes, and encourages boroughs to seek lower thresholds where it can be justified, including where this can achieve an equitable contribution from dwellings with a large floorspace.
- 3.98 The government issued guidance in 2014 creating a national affordable housing threshold and advising that councils should not seek affordable housing from developments involving 10 homes or less, or 1,000 sqm or less. Following legal challenges, this guidance was confirmed in 2016.
- 3.99 Given the scale of affordable housing need in the borough, the Council's aspiration is that as many residential developments as possible should provide

affordable housing. The Camden Local Plan Viability Study shows that there is no direct correlation between scheme size and viability, and there is no viability basis for an affordable housing threshold or a lower target for smaller schemes. Through the Local Plan process, the Council has made provision for the Local Plan to seek affordable housing from smaller schemes as an exception to the national threshold. Policy H4 therefore sets out:

- an affordable housing threshold of one or more additional homes involving a total addition to residential floorspace of 100 sqm GIA or more; and
- affordable housing targets based on a sliding scale which will apply to any proposal involving one or more additional homes and a total addition to residential floorspace of 100sqm GIA or more.

- 3.100 The sliding scale has been set to achieve the maximum reasonable contribution overall without deterring development, causing delays to decision-making, increasing the burden of financial viability appraisals, or risking creation of a high starting target that suppresses scheme or dwelling size. More information about the operation of the sliding scale is provided in paragraphs 3.107 to 3.111.
- 3.101 For the purposes of Policy H4 we will treat small houses in multiple occupation (Use Class C4) in the same way as self-contained homes (Use Class C3), and seek provision of affordable housing from proposals for one or more additional small houses in multiple occupation. This reflects the freedom provided in legislation for changes between these uses without a planning application. Where larger houses in multiple occupation are proposed, we will seek affordable housing unless the development is secured as a long-term addition to the supply of low cost housing.
- 3.102 Where market housing is proposed for older people or vulnerable people, we will apply Policy H4 as far as possible to seek an equivalent amount of affordable provision for older people or vulnerable people, to meet more general needs. However, we acknowledge that such forms of housing are likely to have distinctive financial viability characteristics, particularly if an element of care is involved, and we will take a flexible approach to the scale and nature of provision and whether the affordable provision should be made on site.

Basis for seeking affordable housing provision from specific proposals

- 3.103 Given the scale of affordable housing need in the borough, the Council seeks the maximum reasonable amount of affordable housing on development sites in accordance with the London Plan. Policy H4 criteria (a) to (i) provide a common basis for negotiations while criteria (j) to (p) set out factors that will determine what is reasonable in any particular case. The following paragraphs outline the operation of criteria (a) to (i), while the subsequent section outlines criteria (j) to (p). Our supplementary planning document Camden Planning Guidance 2: Housing provides more detailed guidance on the operation of the criteria.

Guideline mix of affordable housing types

- 3.104 Provision of intermediate housing (between the cost of social rented housing and market housing) has some potential to retain middle income households in Camden and lessen social polarisation. However, high values in many parts Camden mean that the intermediate housing can be more expensive than the market rents available in cheaper areas within the borough or nearby.

To balance these concerns, the Council has set guideline percentages for the split of affordable housing types at 60% social-affordable rented housing and 40% intermediate housing.

- 3.105 Intermediate housing for shared-ownership can help households into owner occupation, but in Camden it is rarely possible for providers to deliver shared-ownership housing that would be affordable for households with incomes close to the median household income in Camden, and highly challenging to deliver schemes meeting the income thresholds set out in the London Plan. Given these constraints, we will strongly encourage provision of homes for intermediate rent rather than shared ownership, subject to maximising overall affordable housing output in the context of the resources available and development viability. We will also encourage the development of innovative intermediate housing products that can be made affordable to a wider range of groups in Camden.
- 3.106 These guidelines will be applied flexibly taking into account the criteria in Policy H4, and in certain circumstances the Council may support proposals which only provide social-affordable rented housing or only provide intermediate housing. We will encourage a focus on social-affordable housing where a proposal falls far short of the affordable housing target (eg below 30% affordable), or intermediate housing cannot be delivered for people in a range of incomes below the London Plan thresholds. Where a proposal substantially exceeds the affordable housing target (eg over 65% affordable), the Council may support development that only provides intermediate housing, particularly if it is designed to meet the needs of a particular group.

Negotiating on the basis of capacity, floorspace and sliding scale

- 3.107 We will negotiate to seek an affordable housing contribution from schemes that involve one or more additional homes, but will not seek a contribution from schemes that simply extend or replace an existing home. This will help us to expedite replacement of homes that are subject to damage or disrepair, and extension of homes for families that are growing or need space to care for an elderly or disabled relative.
- 3.108 For schemes which involve one or more additional homes, we will assess their overall capacity for additional homes, starting from the proposed addition to floorspace. Having regard to the nationally described space standard (London Plan Table 3.3), we will generally assess an additional 100 sqm GIA residential floorspace as having capacity for one additional home. In order to avoid deterring small extensions to existing residential blocks and or distorting the size of dwellings within them, we will not seek an affordable housing contribution from developments that involve less than 100 sq m of additional residential floorspace, including:
- schemes that involve the subdivision of existing housing to create more homes;
 - schemes that provide one home of 90 sqm GIA; and
 - schemes that provide two homes of 45 sq m GIA each.
- 3.109 A development is able to provide a mix of large and small homes consistent with Policy H7 whilst complying with the space standard and achieving an average of 100 sqm GIA per home. We will therefore assess the capacity for additional

homes on the basis of multiples of 100 sq m GIA, rounding the additional residential floorspace to the nearest 100 sq m GIA so the assessed capacity will always be a whole number. An additional 1,200 sq m GIA will generally have capacity for 12 homes, an additional 1,800 sq m GIA will generally have capacity for 18 homes, and an additional 2,400 sq m GIA will generally have capacity for 24 homes. However, we will take into account any constraints on capacity where existing buildings are converted (particularly listed buildings and other heritage assets), or where ancillary residential space would be unable to provide dwellings (e.g. due to lack of natural light). The assessed capacity for additional homes will be used to determine the percentage affordable housing required in accordance with sliding scale set out in Policy H4 criteria (d) and (e) and paragraph 3.111.

- 3.110 We will apply affordable housing targets on the sliding scale directly to the proposed addition to residential floorspace rather than to the number of homes or 'units' or the capacity for additional homes. We will use the affordable housing targets to seek a proportion of the proposed addition to residential floorspace as on-site affordable housing, except in the case of proposals with capacity for 10 or fewer additional homes where we may accept a payment in lieu of affordable housing (see paragraph 3.112). The use of floorspace in negotiation ensures that we are able to secure large affordable homes with 3 bedrooms or more. Seeking large affordable homes is consistent with London Plan priorities. Negotiating on the basis of number of 'units' would incentivise the delivery of small affordable homes and exacerbate the skew towards one- and two-bedroom homes in our existing affordable supply.
- 3.111 On the basis of the Camden Local Plan Viability Study, the Council will apply a target of 50% affordable housing to development proposals that include housing and have capacity for 25 or more additional homes. However, we have set a sliding scale target for smaller schemes involving one or more additional homes. The sliding scale starts from a target of 2% where there is capacity for one additional home, and increases on a 'straight-line' basis. Capacity for each further additional dwelling (or each 100 sqm GIA additional floorspace) increases the target by 2%. Thus the target for a scheme with capacity for an additional 12 dwellings is 24%, at 18 additional dwellings the target is 36%, and at 24 additional dwellings that target is 48%.

Whether the affordable housing should be provided on-site

- 3.112 The NPPF indicates that where affordable housing is needed, policies should set out to meet this need on site. However, in the case of proposals with capacity for fewer than 10 additional homes (1,000 sqm GIA), we will accept a payment-in-lieu of affordable housing. We consider payments-in-lieu are appropriate for these minor schemes (in tandem with relatively modest floorspace requirements based on the sliding scale target) as the affordable housing required would rarely be equivalent to a whole dwelling, and the obstacles to on-site delivery would generally exceed the benefits. More information on payments-in-lieu is provided by paragraph 3.118 on page 66.
- 3.113 In line with the NPPF, the Council's strong preference for larger proposals is for affordable housing to be provided on-site alongside market housing because this helps to create mixed and inclusive communities and ensure that

the delivery of the affordable housing is secured to the same timescale as the market housing.

- 3.114 The Council accepts that there are some circumstances where it may be appropriate to deliver some or all of the affordable housing off-site. In considering whether off-site provision is appropriate, the Council will consider the criteria set out in Policy H4 and other relevant factors such as whether a greater number of affordable homes could be delivered through an off-site solution, whether it is practical for a single block to accommodate market and affordable homes, and the affordability of the anticipated service charges. Market and affordable housing have been successfully delivered alongside each other on a number of small sites in Camden, and the Council will expect developers to demonstrate that they have worked with affordable housing providers to consider fully whether the development can be designed to provide on-site affordable housing.
- 3.115 Where a development has capacity for 10 or more additional homes and the Council considers off-site provision is appropriate, the Council will take into account all related sites when assessing how much affordable housing is required. Where a development omits affordable housing it will be possible to deliver additional market housing on-site, and the Council will expect to achieve a significantly enhanced affordable housing contribution off-site (in terms of quantity and/ or quality), having regard to the net additional market floorspace across all sites.
- 3.116 Where off-site provision is appropriate, we will seek development of the affordable housing on an alternative site nearby, secured by a planning obligation. Given the intense competition for sites in Camden, the Council will normally expect the planning obligation to ensure delivery of the affordable housing by specifying the anticipated delivery site (or sites).
- 3.117 Alternative sites must be in the borough, and will initially be sought in the same ward as the development. Where the development is south of Euston Road, and no sites are available in the same ward, the Council may consider alternative sites south of Euston Road. Where the development is north of Euston Road, if no sites are available in the same ward, the Council will subsequently seek sites in an adjacent ward to the north of Euston Road, and finally seek the nearest appropriate site to the north of Euston Road. As part of the consideration of off-site options we will explore with developers whether the affordable housing could be delivered on Council-owned land.
- 3.118 Exceptionally, where on-site and off-site options have been thoroughly explored and it is demonstrated to the Council's satisfaction that no appropriate site is available for affordable housing, we may accept a payment in lieu of provision, fairly and reasonably related in scale and kind to the development proposed and secured by a planning obligation. Payments-in-lieu are derived by calculating the affordable housing floorspace required as set out in paragraphs 3.108 to 3.111, and converting this to a payment using a 'cost' per sqm. More detailed information regarding the calculation of off-site provision and payments in lieu, including a formula for the 'cost' per sqm, is provided in our supplementary planning documents Camden Planning Guidance 2: Housing and Camden Planning Guidance 8: Planning Obligations.

Provision of affordable housing to meet particular needs

- 3.119 Policy H4 provides for us to seek affordable housing to meet the particular needs of older people or vulnerable people in association with any developments involving housing where they have capacity for 25 homes or more. As indicated in Policy H8 and supporting paragraphs, the Council will focus on meeting the needs of older people and vulnerable people by providing support in existing homes (with adaptations where necessary), but new supported living accommodation may be needed for some groups such as people living with dementia and people with learning disabilities. We anticipate that a proportion of any new provision would need to be in the affordable sector, but the distinctive viability characteristics of supported living mean that affordable provision is unlikely to be delivered in conjunction with market-led supported living. We will only seek provision in schemes with capacity for at least 25 homes as such schemes offer potential for affordable homes for older people or vulnerable people to be clustered and benefit from coordinated support. In considering whether affordable housing should be sought for older or vulnerable people and the scale and nature of provision, the Council will also take into account all relevant criteria in Policy H4 and Policy H8.

Split sites and related sites

- 3.120 Where a site or a group of related sites becomes available for development, the Council will expect proposals to take the form of a comprehensive scheme rather than piecemeal development, and will expect a single assessment of the maximum reasonable amount of affordable housing taking account of all components. We will seek to resist schemes that are artificially split into a series of proposals to avoid reaching the affordable housing threshold or the full 50% affordable housing negotiating target. We will seek planning obligations to ensure that each part of a split or phased development makes an appropriate affordable housing contribution, having regard to the contribution that would arise from a single assessment across all components.

Achieving an appropriate mix of market and affordable housing types

- 3.121 Policy H4 criteria (j) to (p) indicate the factors that we will consider when assessing the mix of market, intermediate and social-affordable rented housing appropriate for a site, and whether any off-site delivery of affordable housing is appropriate. Details of how these criteria will be applied are set out in our supplementary planning document Camden Planning Guidance 2: Housing (including the assessment of financial viability), but a number of key considerations are set out below.
- 3.122 The character of the development, the site and the area (including site size and the ability to accommodate additional entrances and circulation spaces) will influence whether it can accommodate a mix of market and affordable housing. Factors to be considered include whether existing buildings need to be retained on-site (e.g. heritage assets), whether dual-aspect homes and large homes of 3 or more bedrooms can be incorporated (particularly for social-affordable rented housing), and the implications of anticipated service charges on the cost of affordable housing.

- 3.123 Generally sites in the borough have good access to public transport, workplaces and facilities. However, in very rare cases where a proposal is demonstrably remote from workplaces and facilities and has low public transport accessibility, on-site provision of affordable housing may not be appropriate. Most areas in the borough also have reasonably mixed and sustainable communities, including both market and affordable housing. However, there are some areas that have a very high proportion of market housing or social-affordable rented housing, which may sometimes influence whether on-site or off-site affordable housing is most appropriate, or the most appropriate mix of affordable housing types.
- 3.124 In negotiating an affordable housing contribution, the Council will consider all aspects of financial viability, including the availability of public subsidy, particular costs associated with the development (such as restoration of heritage assets and remediation of contaminated land), and the distinctive viability characteristics of particular development sectors (such as build-to-let housing). We will expect submission of a financial viability appraisal to justify the proportion of affordable housing proposed and demonstrate that the proposed affordable housing is deliverable, taking account of an agreed benchmark value for the site and all costs and returns associated with residential and non-residential elements of the scheme. The Council supports transparency in decision making, and will seek the maximum reasonable disclosure of information in viability appraisals, having regard to any elements that are commercially sensitive. Where the proposed contribution to affordable housing falls significantly short of the Policy H4 target or the appraisal raises doubts about the deliverability of the affordable housing the Council may also seek an independent verification of the appraisal funded by the developer.
- 3.125 Where financial viability constraints prevent the development from meeting the Council's affordable housing target, and there is a prospect of viability improving prior to completion, the Council will seek a deferred contingent contribution to affordable housing (similar to 'contingent obligations' referred to in London Plan Policy 3.12), based on the shortfall between the initial contribution and the target. We will seek contingent contributions from single phase and multiphase schemes, and expect financial viability to be reviewed close to substantial completion. We believe these provisions are justified by Camden's particular circumstances, notably the small size of Camden's development sites, the high rate and scale of house price rises, the unpredictability of prices in premium locations, the potential for cost-engineering (particularly for high-specification designs) and the risk of build-cost inflation. Our supplementary planning document Camden Planning Guidance 2: Housing provides more detailed guidance on the operation of deferred contingent contributions.
- 3.126 The Council will positively consider alternative approaches to delivering affordable housing as part of development. We will encourage proposals that can better maximise the supply of affordable housing while providing an appropriate mix of affordable housing types, for example by converting existing market housing into affordable housing. The Council will also consider how proposals deliver other plan objectives and their impact on the potential to deliver affordable housing e.g. the impact of including affordable business space for small and medium enterprises (SMEs).

Protecting and improving affordable housing

- 3.127 Policy H5 seeks to protect all affordable housing floorspace in the broad sense of housing that is provided at less than market costs due to the character of the homes, the occupants, or the providers, or a formal affordable housing designation. It seeks particularly to protect:
- social-affordable rented housing and intermediate housing managed by the Council, Housing Associations and other Registered Providers;
 - key-worker accommodation such as nurses' homes and hostels; and
 - other low cost housing provided in connection with a job such as a caretaker's flat.
- 3.128 Other policies in this section also provide more specific provisions protecting particular types of housing as follows:
- housing for older people, homeless people and vulnerable people is protected by Policy H8;
 - student housing is protected by Policy H9;
 - other housing where occupiers do not live as a family but are long-term residents sharing some rooms and/ or facilities (such as bedsits) is protected by Policy H10.
- 3.129 Losses of affordable housing may not always be subject to planning control, for example where the housing is ancillary to another primary use (e.g. a nurses' home provided as part of a hospital) and no change is proposed to the primary use.

Policy H5 Protecting and improving affordable housing

The Council will aim to secure sufficient high quality affordable homes of different types and sizes to meet the needs of existing and future Camden households who are unable to access market housing and create mixed, inclusive and sustainable communities by:

- a. regenerating existing estates and providing more and better affordable homes at an appropriate density through the Community Investment Programme and Better Homes Programme; and
- b. protecting existing affordable housing floorspace of all types.

Regenerating estates and homes

- 3.130 As part of the Council's Community Investment Programme (CIP) we are undertaking widespread estate regeneration and works to existing homes to ensure that the Council tenants live in good quality accommodation that meets contemporary standards. Through estate regeneration and other CIP proposals, we will replace 650 Council rented homes which are too expensive to repair and maintain, build 750 new affordable homes (including new Council rented homes) and build 1,650 new market homes that will be offered to local people

Housing choice and mix

- 3.137 The Council aims to achieve mixed, inclusive and sustainable communities by seeking a range of housing types suitable for households and individuals with different needs. Seeking a range of housing types, sizes, accessibility and affordability will help us deliver the Camden Plan by tackling inequality, creating sustainable and resilient neighbourhoods, improving health and wellbeing and securing a supply of housing suitable for individuals and families on low and middle incomes. Tailoring housing types to people's particular needs will also help us ensure the right housing for Camden's diverse communities in line with the recommendations of the Equality Taskforce.
- 3.138 Development sites in Camden typically cater for fewer than 100 homes, and it will not be feasible to include a very wide range of housing in every development. Where housing is proposed we will prioritise development of self-contained housing in accordance with Policy H1, including affordable housing. We will require new homes to meet standards for internal space and accessibility and provide a mix of dwelling sizes. We will consider the opportunities presented by each site to contribute to the overall mix of housing types required to meet general and particular needs. Given the limited size and high value of development sites in the borough, it will be challenging to deliver some of the housing types needed in Camden, particularly serviced plots for self-build housing and pitches for Camden's traveller community. Consequently, where larger sites do come forward (0.5 ha or greater), we will expect housing development to provide for particular housing needs including the needs of self-builders, taking into account the characteristics and constraints of the site and area.
- 3.139 Individual policies in this section of the Plan address the specific housing needs of a number of groups in our community:
- Policy H6 addresses the overall need for a mix of housing types, the particular needs of people with mobility difficulties and wheelchair users, the needs of service families, and the needs of people wishing to build their own homes;
 - Policy H7 addresses the size of homes (number of bedrooms) needed for large and small families with children, single people, couples and other types of household;
 - Policy H8 addresses homes for older people, homeless people and vulnerable people;
 - Policy H9 addresses the housing needed for students;
 - Policy H11 addresses the accommodation needs of gypsies and travellers and travelling showpeople.

Policy H6 Housing choice and mix

The Council will aim to minimise social polarisation and create mixed, inclusive and sustainable communities by seeking high quality accessible homes and by seeking a variety of housing suitable for Camden's existing and future households, having regard to household type, size, income and any particular housing needs.

We will seek to secure high quality accessible homes in all developments that include housing. We will:

- a. encourage design of all housing to provide functional, adaptable and accessible spaces;
- b. expect all self-contained homes to meet the nationally described space standard;
- c. require 90% of new-build self-contained homes in each development to be accessible and adaptable in accordance with Building Regulation M4(2); and
- d. require 10% of new-build self-contained homes in each development to be suitable for occupation by a wheelchair user or easily adapted for occupation by a wheelchair user in accordance with Building Regulation M4(3).

We will seek to secure a variety of housing suitable for existing and future households overall across development in the borough. When considering future site allocations and negotiating the types of housing included in each development, we will:

- e. seek a diverse range of housing products in the market and affordable sectors to meet the needs across the spectrum of household incomes;
- f. promote Starter Homes in accordance with government requirements;
- g. support the development of private rented homes where this will assist the creation of mixed, inclusive and sustainable communities;
- h. seek provision suitable for families with children, older people, people with disabilities, service families, people wishing to build their own homes and Camden's traveller community; and
- i. require a range of dwelling sizes in accordance with Policy H7.

Where housing is proposed as part of development with a site area of 0.5 ha or greater, we will expect the development to make provision for particular housing needs. For such sites, the Council will particularly seek to address the need for serviced plots available to people wishing to build their own homes but may also support the inclusion of housing for older people or vulnerable people, student housing, or other housing with shared facilities. In considering the scale and nature of provision for particular housing needs that would be appropriate, the Council will take into account:

- j. criteria in Policies H8, H9, and H10 where applicable;
- k. the character of the development, the site and the area;
- l. site size, and any constraints on developing the site for a mix of housing including provision for particular housing needs;
- m. the impact on creation of mixed, inclusive and sustainable communities;

- n. the impact of provision for particular housing needs on the efficiency and overall quantum of development;
- o. the economics and financial viability of the development including any particular costs associated with it, having regard to any distinctive viability characteristics of particular sectors such as build-to-let housing; and
- p. whether an alternative approach could better meet the objectives of this policy and the Local Plan.

High quality accessible homes

- 3.140 Many aspects of housing quality have a critical impact on the health and well-being of occupiers. These aspects of quality include the external environment, the condition of the property and its state of repair and decoration, accessibility, internal space and number of bedrooms, separation between functions such as kitchens, living rooms and bedrooms, adequate noise insulation, and daylight and sunlight and all of which can affect physical and mental health and influence life chances. The Council will therefore seek to secure a variety of high quality housing to meet the needs of different users, and will not sacrifice quality in order to maximise overall housing delivery.
- 3.141 Housing should be designed with regard to:
- relevant policies throughout the Plan, particularly Policy C6 Access for all, and policies relating to Protecting amenity, Design and Heritage, Sustainability and climate change and Transport;
 - our supplementary planning documents, known as Camden Planning Guidance, particularly Camden Planning Guidance CPG1: Design, CPG2: Housing, CPG3: Sustainability, CPG6: Amenity and CPG7 Transport;
 - Supplementary Planning Guidance issued by the Mayor of London; and
 - Building for Life - the industry and government endorsed standard for well-designed homes and neighbourhoods.
- 3.142 Housing should also be designed to take account of changes in the age profile of Camden residents, and particularly the growth in the number of older people. One aspect of this is an increase in the number of people with dementia. Considering dementia when designing homes can help people to stay in their own homes as they get older. Helpful aspects include a focus on good natural light and lighting, safety, security, accessibility and ease of use.
- 3.143 London Plan Policy 3.5 indicates that new homes should have adequately sized rooms and convenient and efficient room layouts which are functional and fit for purpose and meet the changing needs of Londoners over their lifetimes. The Local Plan therefore encourages design of all new housing to provide functional, adaptable and accessible spaces. In addition, the Local Plan applies specific space standards to all proposals for new self-contained homes, and applies specific accessibility requirements to all proposals for new-build homes that are self-contained, as set out in the following paragraphs.

Space standards

- 3.144 A high quality home should be designed to ensure sufficient space is available for furniture, activity and movement. The government has produced a 'nationally

described space standard' which local plans can adopt to ensure that homes are designed with sufficient internal space. The standard sets out the minimum acceptable gross internal area in square metres depending on the number of bedrooms, the number of intended occupiers, and the number of storeys. The nationally described space standard was formally incorporated into the London Plan in March 2016 (Table 3.3 on page 103), and also forms part of Local Plan Policy H6.

- 3.145 The Mayor's Housing SPG advises that the nationally described space standard should be applied to all new dwellings, whether they are created through new-building, conversions or changes of use. Where dwellings will be created from conversions or changes of use, the Council will apply the nationally described space standard flexibly taking into account the constraints arising from conversion of existing buildings, particularly listed buildings and other heritage assets.
- 3.146 In accordance with the Mayor's Housing SPG, applications for development that includes housing should be supported by a Design and Access Statement showing how the proposal performs against Policy H6 requirements relating to space standards.
- 3.147 Specific arrangements apply to considering the standard of internal spaces in developments of specialist housing and housing with shared facilities. These are set out in paragraphs 3.160 and 3.161 of the Plan.

Accessible and adaptable dwellings (Lifetime Homes) and wheelchair user dwellings

- 3.148 Lifetime Homes are dwellings specifically designed to support the changing needs arising through a family's lifecycle, incorporating features to help accommodate pregnancy, prams and pushchairs, injury, disability, and old age. These features also allow a dwelling to be easily adapted for even higher levels of accessibility in the future, if the need arises, allowing people to live in their own home for as much of their life as possible. Wheelchair housing is designed to more demanding criteria relating to ease of movement and activity and is intended to be easy to adapt for households that include someone who needs to use a wheelchair within the home.
- 3.149 Since 2006, the Council has been using planning policies to ensure that new homes meet Lifetime Homes criteria wherever possible, and that 10% of new homes meet wheelchair housing standards. Since 2010, the Council has also required any wheelchair housing provided for social rent to be fully fitted out to meet the needs of a future wheelchair user.
- 3.150 The government has produced optional Building Regulations which can be used to increase the accessibility of new build homes to people with mobility difficulties. Where accessibility requirements are warranted by local circumstances and are financially viable, the optional Building Regulations can be incorporated in local plan policy and applied to specific homes in a development through planning conditions. A requirement to comply with optional Building Regulations was formally incorporated into the London Plan in March in 2016, and equivalent measures are also included in Policy H6.

- 3.151 The optional Building Regulations in approved document Part M4 include Category 2 for “accessible and adaptable dwellings”. This is known as M4(2), and is broadly equivalent to satisfying Lifetime Homes criteria. Approved document Part M4 also includes Category 3 for “wheelchair user dwellings” – known as M4(3). Part M4(3) further distinguishes between “wheelchair accessible” dwellings (homes readily useable by a wheelchair user at the point of completion) and “wheelchair adaptable” dwellings (homes that can be easily adapted to meet the needs of a wheelchair user).
- 3.152 Policy H6 includes a requirement for 90% of new build homes to comply with M4(2) (accessible and adaptable dwellings) and a requirement for 10% of new build homes to comply with M4(3) (wheelchair user dwellings). These requirements are consistent with the London Plan and apply across London. Information about where we will require “wheelchair accessible” dwellings and where we will require “wheelchair adaptable” dwellings is provided in paragraph 3.156.
- 3.153 Compliance with Optional Building Regulations can only be required by planning condition where Part M of the Building Regulations applies. Part M applies to new-build dwellings, but does not apply to dwellings created by changes of use or conversions of an existing building. Planning conditions can also only be used where all elements of the relevant Regulation can be achieved. They cannot be applied to a dwelling where step-free access cannot be achieved. Circumstances where a planning condition may be inappropriate include flats above or below the entry level in a building where incorporation of a lift would not be viable. Information about the provision of lifts is contained in paragraph 3.48A of the London Plan and paragraphs 2.3.10 to 2.3.11 of the Mayor’s Housing SPG.
- 3.154 In applying the requirement for 90% M4(2) accessible and adaptable dwellings and 10% M4(3) wheelchair user dwellings, the Council will round the number of homes required in each category to the nearest whole number such that the total requirement for M4(2) and M4(3) dwellings adds up to 100%. The Council will not require M4(3) wheelchair user dwellings as part of developments that provide five additional dwellings or fewer.
- 3.155 The Council will generally apply the requirement for 10% wheelchair user dwellings across each housing type or tenure in a scheme, seeking 10% of market housing, 10% of social-affordable rented housing and 10% of intermediate housing. We may seek to increase the percentage of wheelchair user dwellings in the social-affordable sector and reduce the percentage in the market or intermediate sectors, or both, where this will enable us to meet an identified need for wheelchair users in social-affordable housing.
- 3.156 In the market and intermediate sectors, we will use planning conditions to secure wheelchair user dwellings that comply with Part M4(3)(2)(a) requirements for “wheelchair adaptable” dwellings. Households that include a wheelchair user are much more likely to occupy social rented housing than other tenures, and the waiting list for wheelchair user dwellings far exceeds supply. In the case of social-affordable rented housing, future occupiers can be nominated from the Housing Register (waiting list), and from transfer lists. The Council will therefore require 10% of social-affordable rented housing in each development to be “wheelchair accessible” and be fully fitted-out for occupation

by a household containing a wheelchair user. We will use planning conditions to specify those social-affordable homes that must comply with Part M4(3)(2)(b) requirements for “wheelchair accessible” dwellings.

- 3.157 The Council expects all new developments to be car free, where no provision for resident parking is made within the development or on the street (see “Policy T2 Parking and car-free development” on page 272). However, wheelchair users may need access to a car as a consequence of their disability. The Council will generally expect the parking needs of wheelchair users to be met on street, but may exceptionally seek suitably located and designed off-site parking to serve wheelchair accessible dwellings, particularly large wheelchair accessible dwellings (3 bedrooms or more).
- 3.158 In accordance with the Mayor’s Housing SPG, applications for development that includes housing should be supported by a Design and Access Statement showing how the proposal performs against “Policy H6 Housing choice and mix” requirements relating to accessibility.
- 3.159 Specific arrangements apply to considering accessibility in developments of specialist housing and housing with shared facilities. These are set out in paragraphs 3.160 and 3.161 of the Plan.

Space and accessibility for specialist housing and shared housing

- 3.160 The Mayor’s Housing SPG advises that the nationally described space standard and the optional Building Regulations do not apply to specialist forms of housing such as student housing and care homes. However, the space needed for furniture, activity and movement should be considered when designing all forms of housing, and the Council will expect all proposals to provide adequately sized rooms and convenient and efficient room layouts that are functional and fit for purpose.
- 3.161 Houses and flats shared by 3-6 people who do not live as a family (small houses in multiple occupation, Use Class C4) can change to Use Class C3 without a planning application under the freedom provided in legislation. Proposals for homes in Use Class C4 should be designed to comply with Policy H6 in respect of space standards and optional Building Regulations if they are to benefit from the freedom to change to Use Class C3. Where homes in Use Class C4 do not comply with these aspects of Policy H6 we will consider using planning conditions to remove the freedom to change to self-contained homes. The Council has also agreed minimum standards for housing with shared facilities under the Housing Act 2004, please see “Policy H10 Housing with shared facilities (‘houses in multiple occupation’)” on page 104 for more information.

Variety of housing suitable for existing and future households

Range of products including intermediate housing and Starter Homes

- 3.162 As indicated in paragraph 3.138 of the Plan, we will consider the opportunities presented by each site to contribute to the overall mix of housing types required to meet the general and particular needs of existing and future households. We will consider all the needs identified by Policy H6, including those addressed

in detail by Policies H7, H8 and H9. The following paragraphs provide more information about particular needs that are not fully explained in other parts of the Plan.

- 3.163 The split between affordable housing and market housing will not secure housing suitable for households across a full range of incomes in Camden. There are wide gaps between the cost of housing at target social rents and the very cheapest privately rented housing, and between the costs of the cheapest private rented housing and the cost of entering owner-occupation. Local housing allowance (the benefit provided to help with private rents) is generally insufficient to cover the full cost of privately rented housing.
- 3.164 These gaps are particularly wide in the case of large homes (with 3 or more bedrooms) and there is a growing risk that middle-income households will be squeezed out of Camden by housing costs, particularly those with children. The outcome could be social polarisation between low income households in social-affordable rented accommodation and high income households in owner-occupation.
- 3.165 Intermediate housing is intended to bridge the gap between social-affordable rented housing and market housing. High capital values in Camden make it highly challenging to provide intermediate housing in the form of shared-ownership housing that meets the income thresholds set out in the London Plan. For intermediate housing to tackle social polarisation effectively, it therefore needs to include homes for intermediate rent and other innovative intermediate housing products that can be made affordable to a wider range of groups than homes for shared-ownership.
- 3.166 The Housing and Planning Act 2016 provides for the introduction of Starter Homes as a way to help first-time buyers who are at least 23 years old but not yet 40 to buy their own home at a discount price. Starter Homes should be offered at a discount of at least 20% below market value, and are subject to a price cap (in London the price cap has been set initially at £450,000, based on the average price paid by a first-time buyer).
- 3.167 The Housing and Planning Act 2016 requires councils to promote Starter Homes. The government has consulted on proposed Starter Homes Regulations that would require certain types of development to include a set percentage of Starter Homes. "Policy H6 Housing choice and mix" provides for the Council to comply with Starter Home requirements once they come into effect.
- 3.168 Further guidance on how the Council will seek a variety of intermediate housing types and comply with government requirements relating to Starter Homes will be included in as necessary in our supplementary planning document Camden Planning Guidance 2: Housing.

Private rented homes

- 3.169 Census data indicates that the share of households in private rented homes in Camden grew from 23.5% in 2001 to 32.3% in 2011, an addition of almost 10,000 households. In the same period, the share of households in social rented housing fell from 37.4% to 33.1%, a reduction of almost 2,000 households. The private rented sector is currently the largest source of housing for people who are not eligible for social rented housing and cannot afford to buy. Private

renting is thought to play a significant role in limiting the social polarisation in the borough, and the Council will seek to actively foster the sector and support private tenancies for people in housing need.

- 3.170 Historically private rented homes have often been regarded as badly maintained properties suffering from overcrowding, hazards, poor facilities and insecure tenancies. The Council is actively working to improve the quality of accommodation in the private rented sector through the introduction of additional licensing (which provides for more inspection of privately rented houses in multiple occupation) and through the London Landlord Accreditation Scheme that the Council operates on behalf of authorities across the capital. We are also piloting our own local lettings agency, Camden Homes, which aims to provide an outstanding property management service for landlords and tenants.
- 3.171 The government and the Mayor are promoting the growth of a new development sector building homes specifically for private rent. Such a sector could potentially appeal to investors seeking a consistent long-term return, attracting a new source of finance into house-building, and also attract a new style of market developer involved in long-term management of the stock. We consider that build-to-let housing could potentially help to increase overall housing output in Camden, and could also help to fill part of the gap between social-affordable rent and owner-occupation. However, the turnover of occupiers of private rented housing tends to be rapid (particularly given its popularity amongst young adults and students), so localised concentrations could potentially harm the stability and sustainability of a community.
- 3.172 Build-to-let development may well attract less interest from families than development for market sale, and a different mix of dwelling sizes may be appropriate. Financial viability for build-to-let development is different from developments built for sale because returns are realised over a longer period, and may mean that the appropriate level of affordable housing provision is lower. The Council will be flexible in the application of affordable housing and dwelling size policies to development of build-to-let housing where we consider such housing will help to create mixed, inclusive and sustainable communities. We consider that build-to-let has the best potential to contribute to a sustainable community where occupiers are able to secure leases for longer periods such as 2-5 years, where a long-term commitment is in place to secure the management of the private housing element as rented accommodation, and affordable housing is provided on site.

Service families

- 3.173 The NPPF indicates that councils should plan for a mix of housing to meet the needs of various groups including the needs of service families. The government has made a number of commitments regarding housing members of the armed forces, including a requirement for councils to give additional preference to seriously injured service personnel who have urgent housing needs, referral schemes with a number of housing associations, tailored low cost home ownership schemes and assistance for necessary adaptations for injured service people.
- 3.174 The 2011 Census suggests that there are approximately 160 service personnel living in Camden, around a quarter of whom live in communal establishments.

Regent's Park Barracks is located in the borough, and is thought to be a home of a number of Camden's service personnel. Camden's Local Plan policies seek provision of affordable housing, including intermediate housing such as low cost home ownership, and seek housing to suit people with mobility difficulties and other support needs. We consider that the needs of members of the armed forces and their families can be met by giving them appropriate priority in the allocation of the housing intended to meet the needs of the wider community. Through the housing allocation scheme for social-affordable rented homes, the Council gives additional preference to current and former members of the armed forces with a recognised housing need. The Council has also included service families in its priority list for intermediate housing.

People wishing to build their own homes

- 3.175 The NPPF indicates that councils should plan to meet the needs of people wishing to build their own homes. This is understood to refer to self-build and custom-build arrangements where prospective occupiers substitute their own skills for some of the services usually provided by a speculative developer. Self-build generally refers to people who bring their own building skills to bear as part of the construction process, whereas custom-build more often involves people who can provide professional services such as architecture or project management. In some cases custom-build can simply involve people who procure other professionals to build a bespoke home to personal specifications rather than a speculative home built to a standard design.
- 3.176 The London Strategic Housing Market Assessment 2013 (London SHMA) indicates that self-build provides 32% of new homes in Wales and 23% in Scotland, compared with only 4% in England, and possibly as little as 2.1% in London. The government envisages that self-build could be promoted in England as a way of increasing overall housing output.
- 3.177 The London SHMA suggests that typical self-build sites in London are small infill sites, end of terrace spaces, backland sites, gardens, garages and small industrial sites. Based on records of completed new-build housing schemes involving a single new home, the London SHMA estimates that self-build output in London from 2009 to 2013 amounted to between 1.9% and 3.5% of the total. The London SHMA notes a survey that has indicated 13% of Londoners appear to be researching self-build (similar to the national average) but only 2% are actively working towards acquiring a site, submitting a planning application or starting construction work. The London SHMA also documents some group self-build activity in London, usually in partnership with councils or registered providers such as housing associations. The London SHMA concludes that single unit self-build schemes are most likely to be practicable in low-cost parts of London, and group self-build has the best potential to deliver significant additional housing output in higher cost areas.
- 3.178 Land costs in Camden are extremely high, and the majority of housing output takes the form of flats built at relatively high densities. Consequently, the potential for people to acquire a site and use their own building skills to provide low cost homes is very limited. However, there is some evidence to suggest that custom-build for wealthier households is quite common in northern parts of the borough with a more suburban character. These sometimes involve infill sites

and sometimes involve redevelopment of an existing residential plot. There may also be some interest in group self-build involving council-owned land, possibly in association with the Community Investment Programme.

- 3.179 Development monitoring records for Camden (2009/10 to 2013/14) show that an average of 40 additional homes per year were completed in single unit schemes (around 9.7% of the output of self-contained homes), although more research would be needed to determine how many of these involved speculative development. It seems likely that custom-build is making a significant contribution to Camden's housing output, albeit probably involving households with high incomes. With respect to the wider community the conclusions of the London SHMA are likely to hold good in Camden, with group self-build offering the best potential for significant additional output and for lower income households to be involved in building their own home.
- 3.180 The Self Build and Custom Housing Building Act 2015 passed in March 2015 requires councils to create a public register of individuals and groups who are interested in acquiring a plot to use for a self-build or custom build home. The Act also provides for government to issue regulations about what the register should include and how it should work. Late in 2015, the GLA launched a Build Your Own London Home register, intended to run for one year and assist the GLA in assessing the level of interest in developing self-build and custom-build homes. The Council launched its own register for prospective self-builders in April 2016.
- 3.181 Through the Housing and Planning Act 2016, the government requires councils to give permission for enough serviced plots to meet the demand for self-build and custom-build homes. The Act also provides a mechanism for councils to seek an exemption from this requirement.
- 3.182 There are no large areas of unused, underused or cleared land in Camden that would provide an immediate opportunity to create serviced plots. Furthermore, self-build and custom-build housing are likely to involve low density development, which would make it very hard for a prospective self-builder to compete with other developers to acquire land, and would also represent an underuse of land in many parts of Camden, in conflict with Policy H1 Maximising housing supply. Given these constraints, the Council considers that the best prospect for bringing forward suitable land will be in conjunction with development of a large site involving other types of housing, and has made provision in Policy H6 for development of sites of 0.5 ha or greater to include serviced plots for self-build and custom-build.
- 3.183 There is no recent history of land in Camden being parcelled and sold in this way, so the strength of the market and land values that could be supported are uncertain. The Council may therefore allow developers to test that market before a decision is made on whether part of any particular site should be developed for serviced plots. Further guidance on how the Council will seek comply with government requirements relating to serviced plots will be included as necessary in our supplementary planning document Camden Planning Guidance 2: Housing. Depending on the level of interest shown by registrations for self-build and custom-build and the extent of land available, the Council may also consider applying for exemption from elements of the Housing and Planning Act relating to serviced plots.

Managing the impact of development

- 6.1 Standards of amenity (the features of a place that contribute to its attractiveness and comfort) are major factors in the health and quality of life of the borough's residents, workers and visitors and fundamental to Camden's attractiveness and success. Camden's Inner London location, the close proximity of various uses and the presence of major roads and railways means that amenity is a particularly important issue within the borough.
- 6.2 Policy A1 therefore seeks to ensure that standards of amenity are protected. Other policies within the Plan also contribute towards protecting amenity by setting out our approach to specific issues, such as the impact of food, drink and entertainment uses in Policy TC4 - Town centre uses, Policy A4 - Noise and vibration, and Policy CC4 - Air quality.

Policy A1 Managing the impact of development

The Council will seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity.

We will:

- a. seek to ensure that the amenity of communities, occupiers and neighbours is protected;
- b. seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities;
- c. resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network; and
- d. require mitigation measures where necessary.

The factors we will consider include:

- e. visual privacy, outlook;
- f. sunlight, daylight and overshadowing;
- g. artificial lighting levels;
- h. transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans;
- i. impacts of the construction phase, including the use of Construction Management Plans;
- j. noise and vibration levels;
- k. odour, fumes and dust;
- l. microclimate;
- m. contaminated land; and
- n. impact upon water and wastewater infrastructure.

Protecting amenity

- 6.3 Protecting amenity is a key part of successfully managing Camden's growth and ensuring its benefits are properly harnessed. The Council will expect development to avoid harmful effects on the amenity of existing and future occupiers and nearby properties or, where this is not possible, to take appropriate measures to minimise potential negative impacts.

Visual privacy and outlook

- 6.4 A development's impact upon visual privacy, outlook and disturbance from artificial light can be influenced by its design and layout. These issues can affect the amenity of existing and future occupiers. The Council will expect that these elements are considered at the design stage of a scheme to prevent potential harmful effects of the development on occupiers and neighbours. Further detail can be found within our supplementary planning document Camden Planning Guidance 6: Amenity.

Sunlight, daylight and overshadowing

- 6.5 Loss of daylight and sunlight can be caused if spaces are overshadowed by development. To assess whether acceptable levels of daylight and sunlight are available to habitable, outdoor amenity and open spaces, the Council will take into account the most recent guidance published by the Building Research Establishment (currently the Building Research Establishment's Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice 2011). Further detail can be found within our supplementary planning document Camden Planning Guidance 6: Amenity.

Artificial lighting levels

- 6.6 Camden's dense character means that light pollution can be a bigger problem in the borough than in lower density areas where uses are not so close together. Artificial lighting should only illuminate the intended area and not affect or impact on the amenity of neighbours.
- 6.7 Developments in sensitive areas, such as those adjacent to sites of nature conservation, should employ a specialist lighting engineer accredited by the Institute of Lighting Engineers to ensure that artificial lighting causes minimal disturbance to occupiers and wildlife. For further information please see our supplementary planning document Camden Planning Guidance 6: Amenity.

Transport impacts

- 6.8 The Council will consider information received within Transport Assessments, Travel Plans and Delivery and Servicing Management Plans to assess the transport impacts of development. Guidance regarding these documents is available within our supplementary planning document Camden Planning Guidance 7: Transport. In instances where existing or committed capacity cannot meet the additional need generated by the development, we will expect proposals to provide information to indicate the likely impacts of the development and the steps that will be taken to mitigate those impacts.

- 6.9 Proposals should make appropriate connections to highways and street spaces, in accordance with Camden's road hierarchy, Transport for London's Street Type Framework and to public transport networks. Any development or works affecting the highway will also be expected to avoid disruption to the highway network, particularly emergency vehicle routes and avoid creating a shortfall to existing on-street parking conditions or amendments to Controlled Parking Zones. To avoid congestion and protect residential amenity, developments will be expected to provide on-site servicing facilities wherever possible. Major developments dependent upon large goods vehicle deliveries will also be resisted in predominantly residential areas. Further details regarding the movement of goods and materials is available within Policy T4.
- 6.10 Highway safety, with a focus on vulnerable road users should also be considered, including provision of adequate sightlines for vehicles leaving the site. Development should also address the needs of vulnerable or disabled road users.
- 6.11 Highway works connected to development proposals will be undertaken by the Council at the developer's expense. This ensures that highway works, maintenance and materials adopted by the Council are constructed to an appropriate standard. This includes highway works that form part of a planning approval appropriate for adoption, including design and implementation of new routes to be adopted, owned and managed by the relevant Highway Authority. Development requiring works to the highway following development will be secured through planning obligation with the Council to repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links and road and footway surfaces. Separate arrangements will apply for any works on roads managed by Transport for London.

Construction Management Plans

- 6.12 Disturbance from development can occur during the construction phase. Measures required to reduce the impact of demolition, excavation and construction works must be outlined in a Construction Management Plan.
- 6.13 Construction Management Plans may be sought for:
- major developments;
 - basement developments;
 - developments involving listed buildings or adjacent to listed buildings;
 - developments that could affect wildlife;
 - developments with poor or limited access on site;
 - developments that are accessed via narrow residential streets;
 - developments in areas with a high number of existing active construction sites; and;
 - developments that could cause significant disturbance due to their location or the anticipated length of the demolition, excavation or construction period.
- 6.14 We will require Construction Management Plans to identify the potential impacts of the construction phase and state how any potential negative impacts will be mitigated.
- 6.15 Whether a Construction Management Plan is required for a particular scheme will be assessed on a case by case basis. Construction Management Plans will usually be sought for major developments, however there are many instances

where smaller schemes can have very significant impacts, particularly within predominantly residential areas.

- 6.16 A Construction Management Plan will usually be secured via planning obligations between the developer and the Council after an application is approved. We will expect developers to sign up to the Considerate Constructors Scheme and follow guidance within Camden's Considerate Contractors Manual. Financial contributions and monitoring fees may also be sought if necessary.
- 6.17 The level of detail contained within a Construction Management Plan should be proportionate the scale and/or complexity of the development. To assist developers in providing the right information, the Council has created a Construction Management Plan Pro-forma which is tailored towards the specific needs of the borough. The criterion in the Pro-forma are drawn from relevant aspects of Transport for London's (TfL) Construction Logistics Plans and follows TfL's construction safety best practice guidelines. Construction Logistics and Cyclist Safety scheme (CLOCS) standards and Camden's Minimum Requirements for Building Construction also form the basis for the Pro-forma criterion. The Pro-forma is available on the Council's website.
- 6.18 The Council seeks to minimise the movement of goods and materials by road through the use of consolidation facilities and rail and water freight where possible. Please see Policy T4 on the movement of goods and materials for further detail. For further details regarding Construction Management Plans please refer to our supplementary planning documents Camden Planning Guidance 6: Amenity and Camden Planning Guidance 8: Planning Obligations.

Noise and vibration

- 6.19 Noise and vibration can have a major effect on amenity. The World Health Organisation (WHO) for example states that excessive noise can seriously harm human health, disturb sleep and have cardiovascular and behavioural effects. Camden's high density and mixed-use nature means that disturbance from noise and vibration is a particularly important issue in the borough.
- 6.20 Where uses sensitive to noise are proposed close to an existing source of noise or when development that is likely to generate noise is proposed, the Council will require an acoustic report to accompany the application. Further detail can be found in Policy A4 - Noise and Vibration and our supplementary planning document Camden Planning Guidance 6: Amenity.

Odours, fumes and dust

- 6.21 Odours, fumes and dust can be generated from commercial cooking, industrial process and construction and demolition which have the potential to cause a range of health problems, including respiratory diseases.
- 6.22 We will require all development likely to generate nuisance odours to install appropriate extraction equipment and other mitigation measures. These should be incorporated within the building where possible. External extraction equipment and ducting should be sited sensitively, particularly on listed buildings and within conservation areas. Further details can be found in our supplementary planning documents Camden Planning Guidance 1: Design and Camden Planning Guidance 6: Amenity.

- 6.23 The Council will limit the disturbance from dust due to construction and demolition by expecting developers and their contractors to follow the Greater London Authority and London Councils' Best Practice Guidance: The control of dust and emissions from construction and demolition. Details of how these measures will be implemented should be provided in a Construction Management Plan. Further information regarding the management of dust can be found within Policy CC4 Air quality.

Microclimate

- 6.24 Large developments can alter the local climate. Buildings can affect the flow of air and cause wind tunnels which can potentially affect the enjoyment of public spaces. A building's colour can affect how much heat it absorbs and therefore impact upon local air temperatures. Developments should therefore consider local topography and the local microclimate in their design. Developments large enough to alter the local climate will be required to submit a statement demonstrating how the design has considered local conditions. Further detail can be found in our supplementary planning documents Camden Planning Guidance 3: Sustainability and Camden Planning Guidance 6: Amenity.

Contaminated Land

- 6.25 Development on contaminated land can expose people to a wide range of potential health risks. Examples of sites that may have contaminated land include those that have been used for vehicle repair, industrial processes and petrol stations. The Council will expect proposals for the redevelopment of sites that are known to be contaminated, have the potential to be contaminated, or are located in close proximity to such sites to submit relevant assessments and take appropriate remedial action to the Council's satisfaction if required. Remedial action is particularly important in developments where people will have access to the ground for gardening, play or planting food for consumption. Please refer to our Contaminated Land team and our supplementary planning document Camden Planning Guidance 6: Amenity for further information.

Water and wastewater infrastructure

- 6.26 The Council will work with water providers to ensure that there is adequate water and wastewater infrastructure serving developments likely to put pressure on existing water infrastructure. Developers may be required to demonstrate that there is adequate infrastructure capacity both on and off the site to serve the development and that it would not lead to reductions in water pressure, sewer flooding or overloading of existing water and wastewater infrastructure. Where there is a infrastructure capacity constraint and no improvements are programmed by the water provider, we will use planning conditions and/or obligations requiring developers to provide secure mitigation and compensatory measures which must be completed prior to occupation of the development. Further information regarding flood risk, drainage and water supply can be found within Policy CC3 Water and flooding and further detail regarding obligations can be found within our supplementary planning document Camden Planning Guidance 8: Obligations.

Provision and enhancement of open space

- 6.27 Camden benefits from a wide range of open spaces including parks, natural or semi-natural green spaces, housing estate amenity areas, playgrounds, historic cemeteries, churchyards, allotments, community gardens, outdoor sports facilities and the Regent's Canal. Hampstead Heath is the largest open space in the Borough, providing nearly half of the total area of open space and a range of outdoor sports facilities. There are over 280 designated public and private spaces shown on the Local Plan Policies Map.
- 6.28 Camden has large areas of Metropolitan Open Land (MOL) which is important to the whole of London, as well as the Borough, and provides attractive, visual breaks to the built-up area, keeping land permanently open. This designation is broadly equivalent to the Green Belt, meaning development is only permitted in very special circumstances. The Regent's Canal forms part of the Blue Ribbon Network of waterspaces and is of strategic significance to London. It contributes to open space provision by providing amenity, opportunities for recreation and support for biodiversity. The London Plan sets out in detail how development affecting the MOL and Blue Ribbon Network will be assessed.
- 6.29 The Borough has a variety of locally significant open spaces performing a range of functions. About two-thirds of all spaces are small parks, linear green space/ green corridors or amenity land used and highly valued by local residents. A significant number of open spaces are designated for their nature conservation importance and Policy A3 on biodiversity relates to the safeguarding of these sites. The Borough's open spaces, together with street trees, soft landscaping, roof gardens, green/brown roofs and walls and the Regent's Canal, form a network of 'green infrastructure' performing a range of functions and delivering a wealth of benefits for the local population and wildlife.
- 6.30 The Mayor of London has published the 'All London Green Grid' Supplementary Planning Guidance (SPG) to support the implementation of the Green Infrastructure policies of the London Plan. A series of Area Frameworks expand on this by setting out objectives and strategic opportunities in eleven sub-areas – (part of) the Lee Valley and Finchley Ridge and Central London Frameworks provide detail relating to opportunities and projects in Camden. The SPG identifies two strategically important landscape corridors partly in Camden: the Regent's Canal Link and the Nash Ramblas Link: a continuous route connecting Parliament and the Thames with Parliament Hill and Hampstead Heath.
- 6.31 Open space is critical to sustainability and wellbeing. It performs a social role by providing a variety of areas in which to relax, socialize, enjoy sport and take part in physical exercise. This is especially important at a time when the Council is seeking to address the prevalence of obesity and weight issues and their link with conditions leading to premature death. Quiet areas of green space can enhance personal wellbeing and play space is an important tool in supporting the development of children and young people. Businesses are more likely to invest in areas which offer attractive green spaces. The upgrading of open spaces and the public realm is often a key driver of regeneration and renewal

plans, restoring confidence and pride in an area. Open space and greenery can limit the risks to human health and the economy from extreme weather events and environmental threats through cooling the air, the absorption of pollutants and attenuating run-off. This will become even more important if climate change results in more extreme weather events.

Policy A2 Open space

The Council will protect, enhance and improve access to Camden's parks, open spaces and other green infrastructure.

Protection of open spaces

In order to protect the Council's open spaces, we will:

- a. protect all designated public and private open spaces as shown on the Policies Map and in the accompanying schedule unless equivalent or better provision of open space in terms of quality and quantity is provided within the local catchment area;
- b. safeguard open space on housing estates while allowing flexibility for the re-configuration of land uses. When assessing development proposals we will take the following into account:
 - i. the effect of the proposed scheme on the size, siting and form of existing open space and the functions it performs;
 - ii. whether the open space is replaced by equivalent or better provision in terms of quantity and quality; and
 - iii. whether the public value of retaining the open space is outweighed by the benefits of the development for existing estate residents and the wider community, such as improvements to the quality and access of the open space.
- c. resist development which would be detrimental to the setting of designated open spaces;
- d. exceptionally, and where it meets a demonstrable need, support small-scale development which is associated with the use of the land as open space and contributes to its use and enjoyment by the public;
- e. protect non-designated spaces with nature conservation, townscape and amenity value, including gardens, where possible;
- f. conserve and enhance the heritage value of designated open spaces and other elements of open space which make a significant contribution to the character and appearance of conservation areas or to the setting of heritage assets;
- g. give strong protection to maintaining the openness and character of Metropolitan Open Land (MOL);
- h. promote and encourage greater community participation in the management of open space and support communities seeking the designation of Local Green Spaces through the neighbourhood planning process;
- i. consider development for alternative sports and recreation provision, where the needs outweigh the loss and where this is supported by an up-to-date needs assessment;

Noise and vibration

- 6.84 This policy seeks to ensure that noise and vibration is appropriately considered at the design stage and that noise sensitive uses are not negatively impacted by noise and vibration or that existing uses (such as music venues, theatres and some employment uses) are not unduly restricted through the introduction of nearby noise sensitive uses.
- 6.85 Noise and vibration can have a major effect on health and amenity and quality of life. Camden's high density and mixed use nature means that disturbance from noise and vibration is a particularly important issue for health and wellbeing in the borough. The Council may seek to explore the identification and designation of Quiet Areas, which are local green spaces identified for their particular tranquility and amenity value.

Policy A4 Noise and vibration

The Council will seek to ensure that noise and vibration is controlled and managed.

Development should have regard to Camden's Noise and Vibration Thresholds (Appendix 2). We will not grant planning permission for:

- a. development likely to generate unacceptable noise and vibration impacts; or
- b. development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided and will not harm the continued operation of existing uses.

We will only grant permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity. We will also seek to minimise the impact on local amenity from deliveries and from the demolition and construction phases of development.

Sources and the character of noise in Camden

- 6.86 The main sources of noise and vibration in Camden are; road traffic, railways, industrial uses, plant and mechanical equipment, food, drink and entertainment uses, and building sites. The top six sources of noise that receive the most complaints in Camden are; music, construction noise, general people noise (e.g. footsteps, gathering), parties, fixed machinery and burglar alarms.
- 6.87 There is a proliferation of fixed machinery, such as air conditioning units in Camden's centres which cumulatively can have a harmful impact. The borough is also home to a large number and variety of food, drink and entertainment uses, often close to where people live, and as a result, conflicts can arise (see "Policy TC4 Town centres uses"). Such sources of noise and the character of noise can increase stress levels and cause significant disturbance. Other sources of noise such as those associated with construction are considered in "Policy A1 Managing the impact of development", whereby measures required

to attenuate impacts are secured by legal agreement through a Construction Management Plan.

- 6.88 The aim within development proposals should be to design out noise prior to proposing mitigation. The effect of noise and vibration can be minimised by separating uses sensitive to noise and vibration from sources that generate them and by taking other design and operational measures to reduce any impact.

Assessing the impact of noise and vibration

- 6.89 Where uses sensitive to noise and vibration are proposed close to an existing source of noise or when development is likely to generate noise is proposed, the Council will require an acoustic report to accompany the application. In assessing applications, we will have regard to noise and vibration thresholds, set out in Appendix 2, and other relevant national and regional policy and guidance and British Standards. Further guidance on the application of these standards will be provided in supplementary planning document Camden Planning Guidance 6: Amenity.
- 6.90 Noise sensitive development includes housing, schools and hospitals as well as offices, workshops and open spaces. The impacts on external amenity spaces such as gardens and balconies will also be considered. Our supplementary document provides further information on how to minimise the impact of noise of developments; ways to mitigate noise emitted from developments and further detail on how the Council will assess the impact of noise and vibration.
- 6.91 Noise generating uses and fixed machinery will likely have a greater impact on amenity when the background noise level is lower or in areas where noise sensitive uses such as residential developments co-exist with other uses. The Council will take into consideration the general character of the noise (whether noise is intermittent, has a distinct screech, bang, hiss) and where appropriate, the cumulative impacts of noise from one or more noise sources and will assess whether tighter noise restrictions, secured by planning condition, should be imposed.
- 6.92 Planning permission will not normally be granted for development sensitive to noise in locations that have unacceptable levels of noise and vibration. The Council will only grant planning permission for development sensitive to noise and vibration, in locations that experience high levels of noise and for development likely to generate noise impacts, if appropriate attenuation measures can be taken. Such attenuation measures should be included on plans. Planning permission will not be granted in instances where there will be a significant adverse impact on external amenity areas including gardens, balconies and open spaces unless they can be appropriately mitigated.
- 6.93 In cases where noise sensitive development is proposed in close proximity to an existing noise generating use (such as music venues and pubs) the Council will determine whether the introduction of the sensitive use will be harmful to the existing premises continued operation. In some cases the Council may require the developer to be responsible for future costs of soundproofing (known as the “agent of change” principle), secured by a legal agreement.

- 6.94 The Council will also consider the impact of attenuation measures on the character and appearance of the building and locality (see “Policy D1 Design” and associated supplementary planning document Camden Planning Guidance 1: Design). Measures to mitigate the impacts of noise and vibration associated with demolition and construction will be secured by legal agreement through Construction Management Plans (“Policy A1 Managing the impact of development”).

Acoustic reports

- 6.95 Where uses sensitive to noise and vibration are proposed close to an existing source of noise or when development is likely to generate noise is proposed, the Council will require an acoustic report to accompany the application. Supplementary planning document Camden Planning Guidance 6: Amenity provides further detail of the key information expected to be reported in acoustic reports.
- 6.96 Camden noise thresholds (see Appendix 2) reflect observed effect levels outlined in National Planning Practice Guidance and will be explained further in the Camden Planning Guidance 6: Amenity supplementary planning document. The thresholds set noise levels for:
- noise sensitive development in areas of existing noise; and
 - noise generating development in areas sensitive to noise.

Internal noise levels and vibration

- 6.97 Planning permission will not be granted where it is not possible to achieve suitable and sufficient internal noise levels with reference to the most up to date and appropriate guidance. This will be of particular relevance to new residential developments in areas of existing noise but will also include other noise sensitive uses. Conditions may be imposed to require that suitable internal noise levels are achieved and where appropriate, post installation testing to demonstrate that the standards have been met.
- 6.98 The most common sources of vibration that a development is likely to be exposed to are railways and industrial or commercial sites. Where a development sensitive to vibration is proposed in an area that vibration is anticipated to be present, an appropriate vibration survey should be carried out. Where vibration levels exceed those set out in Appendix 2 the proposal should demonstrate that vibration can be mitigated to acceptable levels.

Plant and other noise generating equipment

- 6.99 Planning conditions will be imposed to require that plant and equipment which may be a source of noise is kept working efficiently and within the required noise limits and time restrictions. Air conditioning will only be permitted where it is demonstrated that there is a clear need for it after other measures have been considered (“Policy CC2 Adapting to climate change”). Conditions may also be imposed to ensure that attenuation measures are kept in place and are effective throughout the life of the development.
- 6.100 Emergency equipment such as generators which are only to be used for short periods of time will be required to meet the noise criteria of no more than

10dB above the background level (L90 15 minutes). During standby periods, emergency equipment will be required to meet the usual criteria for plant and machinery. Conditions to this effect may be imposed in instances where emergency equipment forms part of the application.

- 6.101 Security alarms cause significant disruption to local amenity and wellbeing. Whilst security alarms would generally not require planning permission, we would strongly encourage developers and householders to install silent alarms or alarms with a maximum of a 20 minute cut out.

Food, drink, entertainment and leisure noise

- 6.102 Assessments for noise and vibration from entertainment and leisure premises must include consideration of amplified and unamplified music, human voices, footfall and vehicle movements and general activity. The impact of noise and vibration from food, drink and entertainment uses is outlined in “Policy TC4 Town centres uses”. Generally, these uses and noise from leisure uses alter the noise environment through audio devices, amplified and unamplified music, footfall, congregations of people, plant and equipment, deliveries and transport and can be particularly evident when the background noise level is quieter.
- 6.103 Where such uses are considered acceptable planning conditions restricting opening hours will be imposed to ensure that they do not adversely impact nearby noise sensitive uses.

Delivery management

- 6.104 Deliveries, collections and the loading and unloading of goods and refuse can be a source of disruption and cause noise nuisance to nearby residential properties, particularly when undertaken at night. Therefore, to manage potential noise issues from deliveries, conditions will usually be applied to require deliveries, collections and the loading and unloading of goods and refuse take place between the hours of 08:00 to 20:00.
- 6.105 Developments requiring deliveries outside of these times will be required to provide an acoustic report to demonstrate there will be no adverse impact on the acoustic environment with particular reference to residential occupiers as a result of these activities. This could be inserted within the wider Delivery and Servicing Management Plan of the site. Regard should also be taken to the Noise Abatement Society’s silent approach quiet time delivery scheme and TfL ‘Retimed Deliveries’ to mitigate the negative effects of possible out of hours deliveries.
- 6.106 Please see “Policy T4 Sustainable movement of goods and materials” and “Policy A1 Managing the impact of development”.

Basements

- 6.107 With a shortage of development land and high land values in the borough, the development of basements is a popular way of gaining additional space in homes. Basements are also often included in developments in the Central London part of Camden and used for various purposes including commercial, retail and leisure uses, servicing and storage.
- 6.108 Basement development and other development that involves excavation changes the ground and water conditions of the area which can potentially lead to ground instability or flooding. Basement development can also have significant construction impacts due to the need to remove spoil and the general complexities of excavation. The Council recognises the need to protect the environment and adjoining neighbours properties and buildings from these impacts.
- 6.109 When this policy refers to basement development this includes basements, lightwells and other underground development.
- 6.110 A basement is a floor of a building which is partly or entirely below ground level. A ground or lower ground floor with a floor level partly below the ground level (for example on a steeply sloping site) will therefore generally be considered basement development.
- 6.111 When this policy refers to gardens and garden space this includes all outdoor (unbuilt) space on the property, including paved areas, driveways, as well as grassed or landscaped areas.
- 6.112 The following policies in this Local Plan are also relevant to basement development and will be taken into account when assessing basement schemes:
- A2 Provision and enhancement of open space;
 - A3 Protection, enhancement and management of biodiversity;
 - D1 Design;
 - D2 Heritage and Conservation; and
 - CC3 Water and flooding.

Policy A5 Basements

The Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:

- a. neighbouring properties;
- b. the structural, ground, or water conditions of the area;
- c. the character and amenity of the area;
- d. the architectural character of the building; and
- e. the significance of heritage assets.

In determining proposals for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment and where appropriate, a Basement Construction Plan.

The siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. Basement development should:

- f. not comprise of more than one storey;
- g. not be built under an existing basement;
- h. not exceed 50% of each garden within the property;
- i. be less than 1.5 times the footprint of the host building in area;
- j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;
- k. not extend into or underneath the garden further than 50% of the depth of the garden;
- l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; and
- m. avoid the loss of garden space or trees of townscape or amenity value.

Exceptions to f. to k. above may be made on large comprehensively planned sites.

The Council will require applicants to demonstrate that proposals for basements:

- n. do not harm neighbouring properties, including requiring the provision of a Basement Impact Assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight';
- o. avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- p. avoid cumulative impacts;
- q. do not harm the amenity of neighbours;
- r. provide satisfactory landscaping, including adequate soil depth;
- s. do not harm the appearance or setting of the property or the established character of the surrounding area;
- t. protect important archaeological remains; and
- u. do not prejudice the ability of the garden to support trees where they are part of the character of the area.

The Council will not permit basement schemes which include habitable rooms and other sensitive uses in areas prone to flooding.

We will generally require a Construction Management Plan for basement developments.

Given the complex nature of basement development, the Council encourages developers to offer security for expenses for basement development to adjoining neighbours.

Basement development

- 6.113 Although basement developments can help to make efficient use of the borough's limited land it is important that this is done in a way that does not cause harm to the amenity of neighbours, affect the stability of buildings, cause drainage or flooding problems, or damage the character of areas or the natural environment.

Basement impact assessment

- 6.114 The Council will require evidence of the impact of basement schemes in the form of a Basement Impact Assessment to be carried out by appropriately qualified professionals. Basement Impact Assessments are to include geotechnical, structural engineering, and hydrological investigations and modelling to ensure that basement developments do not harm the built and natural environment or local amenity. Basement Impact Assessments must be prepared according to the specifications set out in our supplementary planning document Camden Planning Guidance 4: Basements and lightwells and the Camden Geological, Hydrogeological and Geological Study (ARUP 2010).
- 6.115 The level of information required will be commensurate with the scale and location of the scheme. All schemes will be expected to provide evidence against each of the considerations in Policy A5 Basements. Schemes will also be expected to submit information which relates to any specific concerns for that particular scheme or location (e.g. any history of flooding at the site or in the vicinity of the site, the presence of underground watercourses, proximity to water bodies such as the ponds on Hampstead Heath, structural instability of the development or of neighbouring properties, or unstable land). Basement Impact Assessments must use the Burland Scale in estimating effects on neighbouring properties, in accordance with the details set out in our supplementary planning document Camden Planning Guidance 4: Basements and lightwells.
- 6.116 Information submitted with basement applications must be contained within a Basement Impact Assessment which is specific to individual sites and particular proposals. Where hydrological and structural reports are required, they should be carried out by independent professionals (e.g. Chartered Structural Engineers) according to the qualifications set out in Camden Planning Guidance 4: Basements and lightwells.
- 6.117 In order to provide the Council with greater certainty over the potential impacts of proposed basement development, we will generally expect an independent

verification of Basement Impact Assessments funded by the applicant. The circumstances where verification is required include:

- where a scheme requires applicants to proceed beyond the screening stage of Basement Impact Assessment;
- where the proposed basement development is located within an area of concern regarding slope stability, surface water or groundwater flow;
- where there is conflicting evidence; or
- for any other basement applications where the Council feels that independent verification would be appropriate.

6.118 Basement Impact Assessments must contain a non-technical summary of the evidence that applicants have gathered against each stage of the assessment. This should be presented in a format which can be fully understood by those with no specialist technical knowledge in these matters.

6.119 Details of the requirements and process of Basement Impact Assessments are set out in our supplementary planning document Camden Planning Guidance 4: Basements and lightwells. Applicants may also contact the Council about the level of information that should be provided for a particular scheme.

Burland Scale

6.120 Where a BIA identifies risk of damage to properties by subsidence this risk should be described using the Burland Scale. The Burland Scale methodology has been adopted for projects internationally and has been used by the Building Research Establishment and the Institution of Structural Engineers, London. The classification system of the scale is based on the ease of repair of visible damage. Subsidence is only one element in the many potential impacts assessed in a BIA and other methods will be employed when describing these other impacts.

6.121 In the Burland Scale the damage to properties caused by subsidence may be considered in three broad categories:

- (i) visual appearance or aesthetics;
- (ii) serviceability and function; and
- (iii) stability.

6.122 Burland Scale categories 0, 1, and 2 refer to (i) aesthetic damage, category 3 and 4 relate to (ii) serviceability and function, and 5 represents damage which relates to stability.

6.123 Burland states that it is a major objective of design and construction to maintain a level of risk to buildings no higher than category 2, where there is only risk of aesthetic damage to buildings (see Burland, J. "The assessment of the risk of damage to buildings due to tunnelling and excavations", Imperial College London, 1995). However the Council considers that neighbouring residential properties are particularly sensitive to damage, where relatively minor internal damage to a person's home can incur cost and considerable inconvenience to repair and redecorate. Applicants must therefore demonstrate in the Basement Impact Assessment that the basement scheme has a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight'.

Cumulative impact

- 6.124 The cumulative effect of several underground developments in close proximity can be more significant than the impact of a single basement. The impacts include changes to ground water flow, land stability, surface water flow and flooding. Basement Impact Assessments must consider the potential wider impacts of basement schemes and the potential cumulative impact of other basement schemes in the area. Basement Impact Assessments must identify all relevant basements in the neighbouring area, including their extent and ground conditions and make an assessment of the combined effect of underground development with all nearby basements considered together. The assessment must include existing and planned development including schemes with planning permission and those to be developed under permitted development with a Certificate of Lawful Development.

Demolition and construction

- 6.125 The demolition and construction phases of a development can have an impact on amenity and this is a particular issue for basements. Many basement schemes are constructed in residential areas in close proximity to people's homes, with the construction works often involving significant disturbance (including removing significant quantities of spoil) extending for many months. Construction impacts (including noise) are also controlled by other legislation, in particular the Control of Pollution Act, with traffic impacts considered under relevant highways legislation.
- 6.126 The Council will seek to minimise the disruption caused by basement development and will generally require Construction Management Plans to be submitted with applications. Construction Management Plans can be used to establish a community working group involving neighbouring residents to discuss, advise and make recommendations, before and during the construction period. Construction Management Plans should be based on the Construction Management Plan Proforma which is available for download from the Council's website. Please see Camden Planning Guidance 4: Basements and lightwells for further information.

Basement Construction Plan

- 6.127 To ensure that basement construction is undertaken without causing damage to neighbouring properties and the water environment the Council may require the developer to provide a Basement Construction Plan in some circumstances. Basement Construction Plans may be required when a Basement Impact Assessment shows acceptable estimated effects but a particular construction methodology needs to be applied to ensure there is no damage to neighbouring properties. If a Basement Construction Plan is required this will be identified in the independent assessment of the Basement Impact Assessment. Basement Construction Plans will be secured by planning obligation.
- 6.128 A Basement Construction Plan sets out detailed information relating to the design and construction of the basement with a view to minimising the impacts of the development on neighbouring properties and the water environment and provides a programme of measures to be undertaken by the owner with the

objective of maintaining the structural stability of the property and neighbouring properties. The developer must also ensure that throughout the construction phase a suitably qualified engineer from a recognised relevant professional body is engaged to monitor, inspect and approve the construction works. The detailed requirements of a Basement Construction Plan are set out in Camden Planning Guidance 4: Basements and lightwells.

Size of basements

- 6.129 In addition to protecting against flooding, ground instability and damage to neighbouring buildings as set out above, the Council will also seek to control the overall size of basement development to protect the character and amenity of the area, the quality of gardens and vegetation and to minimise the impacts of construction on neighbouring properties. Larger excavations cause greater construction impacts and can have greater risks and complexity in construction.
- 6.130 A basement development that does not extend beyond the footprint of the original building and is no deeper than one full storey below ground level is often the most appropriate way to extend a building below ground.
- 6.131 Criterion f. above states that basements should not comprise more than 1 storey. The Council considers a single storey for a basement to be approximately 3 to 4 metres in height. Where appropriate we will allow a proportion of the basement to be deeper to allow development of swimming pools.
- 6.132 Criterion h. above states that basements should not exceed 50% of each garden within the property. This criterion applies to the front garden, the rear garden and gardens to the side of the property individually, rather than calculated as an aggregated garden area for the whole property. This criterion applies to gardens as they currently exist and not the gardens of the proposed development. The unaffected garden must be in a single area and where relevant should form a continuous area with other neighbouring gardens. Sufficient margins should be left between the site boundaries and any basement construction to sustain growth of vegetation and trees.
- 6.133 Exceptions to criterion f. to k. above may apply on large comprehensively planned sites. For the purposes of this policy, large comprehensively planned sites are:
- new major developments, for example schemes which comprise 1000sq m additional non-residential floorspace or 10 or more additional dwellings;
 - large schemes located in a commercial setting; or
 - developments the size of an entire or substantial part of an urban block.

Party Wall Act and security for expenses

- 6.134 The Council encourages developers to offer security in all instances where basement schemes have a risk of causing damage to neighbouring properties. Many types of basement developments such as excavation near a neighbouring building will require that building owners meet a number of obligations under the Party Wall etc. Act 1996. These obligations include serving advanced notice of works, stating whether you will be strengthening or safeguarding the foundations of the neighbouring property and providing plans and sections. Under the Party

Wall Act adjoining owners may request the building owner to provide a bond or insurances to provide security in the event of a dispute. Security bonds may be provided either as part of a party wall agreement or as a separate private arrangement between the developer or owner and the neighbour.

Flood risk

- 6.135 The National Planning Policy Framework (NPPF) states that “inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk” (paragraph 100). The Council will not allow habitable rooms and other sensitive uses for self contained basement flats and other underground structures in areas at risk of flooding. No parts of the borough are currently identified by the Environment Agency as being prone to flooding from waterways although some areas are subject to localised surface water flooding, as set out in “Map 6: Historic flooding and Local Flood Risk Zones” on page 235 and identified in the North London Strategic Flood Risk Assessment. Please see Section 8: Sustainability and “Policy CC3 Water and flooding” for more on the location of these areas and our approach to flooding.
- 6.136 The Council will require the submission of a development-specific flood risk assessment with applications for basements within flood risk areas identified on “Map 6: Historic flooding and Local Flood Risk Zones”, in the Flood Risk Strategy, or in any future updated Strategic Flood Risk Assessment in line with the criteria set out in the National Planning Practice Guidance on Flood Risk, unless it can be demonstrated to the Council’s satisfaction that the scale of the scheme is such that there is no, or minimal, impact on drainage conditions (refer to our supplementary planning document Camden Planning Guidance 3: Sustainability for further information).
- 6.137 Some parts of Camden contain unusual and unstable subsoils, along with many underground streams and watercourses, making drainage and structural safety key concerns (including around Hampstead Heath). In such areas, applications for basement developments may be required to show through hydrological modelling whether it will be possible through the inclusion of drainage systems to prevent any significant harm from changes to groundwater levels or flow.
- 6.138 The use of Sustainable Drainage Systems (SuDS) will be encouraged in all basement developments that extend beyond the profile of the original building. For basements that encroach into garden space or reduce the area of permeable surface on the site, the use of SuDS will be required to mitigate any harm to the water environment. Further guidance on sustainable urban drainage is contained in “Policy CC3 Water and flooding”.

Protection of gardens and trees

- 6.139 As set out in “Policy A3 Biodiversity”, the Council will protect green areas including gardens and retain and protect trees of significant amenity value and which make a positive contribution to the character and appearance of a conservation area. Basement development should be designed to retain and protect gardens and trees.
- 6.140 The protection of garden space to support large canopy trees is of particular importance near to open spaces. Basement development should be designed

to avoid damage to trees both on or adjacent to the site, including street trees and the root protection zones needed by these trees. Where there are trees on or adjacent to the site, the Council will require an arboricultural report to be submitted as part of a planning application. Further information on protection of trees is available in our supplementary planning document Camden Planning Guidance 1: Design.

- 6.141 Basement developments should mitigate any loss of storm water infiltration capacity or biodiversity habitat caused by that development through the planting of vegetation above the basement and other appropriate measures. This will usually take the form of a soft landscaping or retention pond on the top of the underground structure, which is designed to temporarily hold a set amount of water while slowly draining to another location. The Council expects that a minimum of 1 metre of soil is provided above the basement development, where this extends beyond the footprint of the building, to enable garden planting and for rainwater runoff and flood mitigation.

Listed buildings

- 6.142 Basement development underneath a listed building can harm the fabric, structural integrity, layout, inter-relationships and hierarchy of spaces and architectural features of the building. The addition of a floor level beneath the original lowest floor level of a listed building (basement, cellar, or vault) may affect the hierarchy and historic integrity of the floor levels within the building. The development of a basement beneath a listed building can also necessitate the removal of significant parts of the original structure and fabric of the building.
- 6.143 The Council will only permit basements where they do not cause harm to the significance of a listed building or its garden. Listed buildings often form an intrinsic element of the character of conservation areas and therefore basement development which harms the special architectural and historic interest of a listed building is also likely to fail to preserve or enhance the character or appearance of the conservation area in which it is located. Further details on the Council's approach to preserving heritage assets are set out in "Policy D2 Heritage".

Lightwells

- 6.144 Where basements and visible lightwells are not part of the prevailing character of a street, new lightwells should be discreet and not harm the architectural character of the building, the character and appearance of the surrounding area, or the relationship between the building and the street. In situations where lightwells are not part of the established street character, the characteristics of the front garden or forecourt will be used to help determine the suitability of lightwells.
- 6.145 In plots where the front garden is quite shallow, a lightwell is likely to consume much, or all, of the garden area. This will be unacceptable in streets where lightwells are not part of the established character and where the front gardens have an important role in the local townscape.
- 6.146 Lightwells to the side or rear of a property should be set away from the boundary of a neighbouring property. Excessively large lightwells will not be

permitted in any garden space.

7. Design and Heritage

Design

- 7.1 Good design is essential to creating places, buildings, or spaces that work well for everyone, look good, last well and will adapt to the needs of future generations. The National Planning Policy Framework establishes that planning should always seek to secure high quality design and that good design is indivisible from good planning.

Policy D1 Design

The Council will seek to secure high quality design in development. The Council will require that development:

- a. respects local context and character;
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- d. is of sustainable and durable construction and adaptable to different activities and land uses;
- e. comprises details and materials that are of high quality and complement the local character;
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
- g. is inclusive and accessible for all;
- h. promotes health;
- i. is secure and designed to minimise crime and antisocial behaviour;
- j. responds to natural features and preserves gardens and other open space;
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
- l. incorporates outdoor amenity space;
- m. preserves strategic and local views;
- n. for housing, provides a high standard of accommodation; and
- o. carefully integrates building services equipment.

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Tall buildings

All of Camden is considered sensitive to the development of tall buildings. Tall buildings in Camden will be assessed against the design criteria set out above and we will also give particular attention to:

- p. how the building relates to its surroundings, both in terms of how the base of the building fits in with the streetscape and how the top of a tall building affects the skyline;
- q. the historic context of the building's surroundings;
- r. the relationship between the building and hills and views;
- s. the degree to which the building overshadows public spaces, especially open spaces and watercourses; and
- t. the contribution a building makes to pedestrian permeability and improved public accessibility.

In addition to these design considerations tall buildings will be assessed against a range of other relevant policies concerning amenity, mixed use and sustainability.

Public art

The Council will only permit development for artworks, statues or memorials where they protect and enhance the local character and historic environment and contribute to a harmonious and balanced landscape design.

Excellence in design

The Council expects excellence in architecture and design. We will seek to ensure that the significant growth planned for under "Policy G1 Delivery and location of growth" will be provided through high quality contextual design.

Local context and character

- 7.2 The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:
- character, setting, context and the form and scale of neighbouring buildings;
 - the character and proportions of the existing building, where alterations and extensions are proposed;
 - the prevailing pattern, density and scale of surrounding development;
 - the impact on existing rhythms, symmetries and uniformities in the townscape;
 - the composition of elevations;
 - the suitability of the proposed design to its intended use;
 - inclusive design and accessibility;
 - its contribution to public realm and its impact on views and vistas; and
 - the wider historic environment and buildings, spaces and features of local historic value.
- 7.3 The Council will welcome high quality contemporary design which responds to its context, however there are some places of homogenous architectural style (for example Georgian Squares) where it is important to retain it.
- 7.4 Good design takes account of its surroundings and preserves what is distinctive and valued about the local area. Careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development which integrates into its surroundings. Character is about people and communities as well as the physical components.

How places have evolved historically and the functions they support are key to understanding character. It is important to understand how places are perceived, experienced and valued by all sections of the community. People may value places for different reasons, often reflecting the services or benefits they provide for them. In addition, memory and association are also a component of how people understand a place. All of these values and experiences are part of understanding the character of a place. Planning applications should include a Design and Access Statement which assesses how the development has been informed by and responds to local context and character.

7.5 Design should respond creatively to its site and its context including the pattern of built form and urban grain, open spaces, gardens and streets in the surrounding area. Where townscape is particularly uniform attention should be paid to responding closely to the prevailing scale, form and proportions and materials.

7.6 The Council has two sets of documents which describe the character and appearance of areas and set out how we will preserve or enhance them. Each conservation area has a Conservation Area Statement or Appraisal and Management Strategy. These detailed documents have been developed with the relevant Conservation Area Advisory Committee and are adopted supplementary planning documents. For areas outside of conservation areas the Council commissioned the Camden Character Study to identify and record their character. This is not a formal supplementary planning document. These documents can help developers to inform their understanding of the specific character of the area in which their proposals are located. "Policy D2 Heritage" provides further guidance on the preservation and enhancement of the historic environment. When assessing design, we will also take into account guidance contained within supplementary planning document Camden Planning Guidance 1: Design. For areas where Neighbourhood Plans are being prepared, these documents will form a valuable source of information on the character of the local area.

Sustainable design and durability

7.7 The Council expects development to be sustainable in design and construction. Development should be consistent with the policies set out in section 8 of this plan on sustainability and also consistent with Camden Planning Guidance 3: Sustainability.

7.8 Design should be durable in construction and where appropriate should be flexible and adaptable for a range of uses over time, a quality known as robustness. Robustness is influenced by factors including the size and shape of rooms, points of access and the depth of floorplates. The overall quality of a building is also a consideration as buildings with character and charm are more likely to be retained and adapted.

Details and materials

7.9 Architectural detailing should be carefully integrated into a building. In new development, detailing should be carefully considered so that it conveys quality of design and creates an attractive and interesting building. Architectural features on existing buildings should be retained wherever possible, as their

loss can harm the appearance of a building by eroding its detailing. The insensitive replacement of windows and doors can spoil the appearance of buildings and can be particularly damaging if the building forms part of a uniform group.

- 7.10 Schemes should incorporate materials of a high quality. The durability and visual attractiveness of materials will be carefully considered along with their texture, colour, tone and compatibility with existing materials. Alterations and extensions should be carried out in materials that match the original or neighbouring buildings, or, where appropriate, in materials that complement or enhance a building or area.

Street frontages and legibility

- 7.11 Building facades should be designed to provide active frontages and respond positively to the street. Active frontages are building facades that allow people on the street to see inside the building. A more active type of frontage is one where the use opens out to the street, like a shop with a window display and entrance, or a use like a café or restaurant with outdoor dining. Active frontages add interest and vitality to public spaces. Views into buildings provide interest to passers-by and views out of buildings provide safety through passive surveillance or 'eyes on the street'. Positive factors for frontages are entrances, shop fronts and windows. Negative factors include long blank facades, high boundary walls, solid roller shutters and service entrances and yards.
- 7.12 Buildings and spaces should also allow people to easily navigate their way around an area – a quality known as legibility. Designs should provide recognisable routes and be easy to understand. Buildings and spaces should be permeable by providing clear and direct routes between places. Routes should be direct, safe and attractive for walking and cycling.
- 7.13 Ground floors in new developments should have a storey height appropriate to their use. In mixed use schemes where a commercial use is provided on the ground floor this should typically have a more generous storey height (of approximately 4.5m). Further information on the design of retail spaces is in "Policy TC2 Camden's centres and other shopping areas".

Access

- 7.14 Good access benefits everyone. The Council requires new buildings and spaces to be inclusive and accessible to all. As accessibility is influenced by perceptions as well as physical factors, buildings should also be designed to appear, as well as be, fully accessible. The Council will require Design and Access Statements for developments to show how the principles of inclusive design, ensuring access for all, have been integrated into the proposed development and how inclusion will be maintained and managed.
- 7.15 Making roads and pavements and the spaces between buildings fully accessible is as important as making the buildings themselves accessible. The Council will seek improvements for all pedestrians to ensure good quality access and circulation arrangements, including improvements to existing routes and footways. The Camden Streetscape Design Manual and our supplementary planning documents Camden Planning Guidance 1: Design and Camden Planning Guidance 6: Amenity provide more detailed information on this issue.

- 7.16 Any adaptation of existing buildings must respond to access needs whilst ensuring that alterations are sympathetic to the building's character and appearance. Please refer to "Policy C6 Access for all" for the Council's policies on access and to "Policy D2 Heritage" for the policy on providing access to listed buildings.

Health

- 7.17 The way an area is designed and managed can have a significant impact on people's quality of life, health and wellbeing. Planning has a key role in promoting good physical and mental health by creating streets, spaces and buildings which allow and encourage healthy lifestyles. Architecture and urban design can affect human health through the quality and design of buildings and spaces, access to open space and nature, air quality, noise, opportunities for active transport such as walking and cycling, crime reduction and social cohesion. The Council will require applicants to consider how development will contribute to improving health. Please see "Policy C1 Health and wellbeing" and Sport England's Active Design Guidance for further information on the principles of Active Design.

Secure design and crime prevention through urban design

- 7.18 Design should create safe and attractive places and be designed to prevent crime and antisocial behaviour. The impacts of proposals on crime and community safety should be considered and addressed from an early stage in the design process to prevent the need for reactive security measures. Access and movement routes, the layout of buildings, overlooking and active frontages, lighting, the clear delineation of spaces and ownership and the creation of activity all play a role in designing out crime. The Council will seek to maintain good accessibility in urban areas to foster flows of movement which produce vitality and natural surveillance and in doing so increase safety. Gating as a solution to crime and antisocial behaviour problems will be resisted unless there are exceptional circumstances. Further details are set out in supplementary planning document Camden Planning Guidance 1: Design and in the document Safer Places – The Planning System and Crime Prevention (ODPM April 2004). Please refer to "Policy C5 Safety and security" for further information.

Responding to natural features and preserving gardens and open space

- 7.19 New developments should respond to the natural assets of a site and its surroundings, such as slopes and height differences, trees and other vegetation. Extensions and new developments should not harm existing natural habitats, including in private gardens. "Policy A3 Biodiversity" sets out the Council's policy on nature conservation, protecting trees and biodiversity.
- 7.20 Development within rear gardens and other undeveloped areas can often have a significant impact upon the amenity and character of an area. The Council will resist development that occupies an excessive part of a garden and where there is a loss of garden space which contributes to the character of the townscape.
- 7.21 The Council will resist development which fails to preserve or is likely to damage trees on a site which make a significant contribution to the character and amenity of an area. Where appropriate the Council will seek to ensure that

developments make adequate provision for the planting and growth to maturity of large trees.

Landscape design and greening

- 7.22 The Council will expect development schemes to provide a high standard of landscape design and encourages the development of green and brown roofs and walls. The design of new hard and soft landscaping should be contextual and consider access requirements. Where appropriate, the Council will expect planting plans to be accompanied by a maintenance schedule. Detail on our approach to green infrastructure and landscape design is set out in Camden Planning Guidance 1: Design and Camden Planning Guidance 3: Sustainability supplementary planning documents.

Amenity space

- 7.23 Private outdoor amenity space including gardens, balconies and roof terraces, can add significantly to resident's quality of life and applicants are therefore encouraged to explore all options for the provision of new private outdoor space. Please refer to "Policy A2 Open space" for the Council's approach to ensuring that new open space is provided in development. The Council also requires that the residential amenity of neighbours be considered in accordance with "Policy A1 Managing the impact of development".

Public art

- 7.24 The Council encourages provision of high quality public art in development where appropriate. Public art can help to create a distinctive character to places and spaces. As well as adding visual interest it can influence the use of a space, encouraging or discouraging particular uses, or it can act as a focal point to provide directions. Public art can take many forms and occupy sites and spaces that span a range of scales and of varying character. It may take the more traditional form of a sculpture or other artwork in a public space but could also be conceived as a garden, the façade of a building or a lighting installation. Public art should be designed to be an integral part of a new development.
- 7.25 In assessing applications for artworks, statues and memorials the Council will also take into consideration the matters set out in the supplementary planning

document Camden Planning Guidance 1: Design, including:

- the number of artworks, statues, or memorials already in the area;
- whether the proposal has contextual and historic connections to the site; and
- whether the proposal meets the Council's corporate guidance on artworks, statues and memorials.

Views

- 7.26 A number of London's most famous and valued views originate in, or extend into, Camden. These are:
- views of St Paul's Cathedral from Kenwood, Parliament Hill and Primrose Hill;
 - views of the Palace of Westminster from Primrose and Parliament Hills; and
 - background views of St Paul's from Greenwich and Blackheath.
- 7.27 The Council will protect these views in accordance with London-wide policy and will resist proposals that would harm them. Where existing buildings that affect a view are redeveloped it is expected that any replacement building will be of a height that does not harm the view. The current framework for protecting these views is set by the London Plan (policies 7.11 and 7.12) and the Mayor's London View Management Framework supplementary planning guidance.
- 7.28 The Council will also consider the impact of a scheme, in terms of the townscape, landscape and skyline, on the whole extent of a view ('panorama'), not just the area in the view corridor. Developments should not detract from the panorama as a whole and should fit in with the prevailing pattern of buildings and spaces. They should seek to avoid buildings that tightly define the edges of the viewing corridors and not create a crowding effect around the landmark.
- 7.29 The Council will also seek to protect locally important views that contribute to the interest and character of the borough. These include:
- views of and from large public parks and open spaces, such as Hampstead Heath, Kenwood Estate, Primrose Hill and Regent's Park, including panoramic views, as well as views of London Squares and historic parks and gardens;
 - views relating to Regent's Canal;
 - views into and from conservation areas; and
 - views of listed and landmark buildings, monuments and statues (for example, Centrepoint, St Stephen's, Rosslyn Hill and St George's, Bloomsbury).
- 7.30 The Council will seek to ensure that development is compatible with such views in terms of setting, scale and massing and will resist proposals that we consider would cause harm to them. Development will not generally be acceptable if it obstructs important views or skylines, appears too close or too high in relation to a landmark or impairs outlines that form part of the view. Further guidance on important local views is set out in our supplementary planning documents, for example in individual conservation area statements, appraisals and management strategies.
- 7.31 The Council recognises that neighbouring boroughs have identified views for protection in supplementary planning documents and that development on some sites within Camden could affect these views. The Council will take into consideration these protected views of neighbouring authorities when deciding

planning applications.

Design of housing

7.32 All residential developments are required to be designed and built to create high quality homes. The Council will seek to ensure that residential development, both new build and change of use:

- is self-contained and has its own secure private entrance;
- has good ceiling heights and room sizes;
- is dual aspect except in exceptional circumstances;
- has good natural light and ventilation;
- has good insulation from noise and vibration;
- has a permanent partition between eating and sleeping areas (studio flats are acceptable where they provide adequate space to separate activities);
- incorporates adequate storage space;
- incorporates outdoor amenity space including balconies or terraces; and
- is accessible and adaptable for a range of occupiers.

7.33 New dwellings and conversions to residential use will be expected to meet the government's nationally described space standard as set out in London Plan Table 3.3. The Council will also require development to adhere to the Mayor's Housing Supplementary Planning Guidance.

Building services equipment

7.34 Building services equipment, such as air cooling, heating, ventilation and extraction systems, lift and mechanical equipment, as well as fire escapes, ancillary plant and ducting should be contained within the envelope of a building or be located in a visually inconspicuous position.

Tall buildings

7.35 For this policy tall buildings are considered to be those which are substantially taller than their neighbours or which significantly change the skyline. While tall buildings offer the opportunity for intensive use, their siting and design should be carefully considered in order not to detract from the nature of surrounding places and the quality of life for living and working around them. Applications for tall buildings will be considered against Local Plan policies on design and heritage, along with the full range of policies, including those on mixed use, sustainability, amenity and microclimate. The effect on views and provision of communal and private amenity space will also be important considerations. In assessing applications for tall buildings the Council will have regard to the London Plan Policy 7.7 on the location of tall and large buildings and the Historic England Advice Note 4 on Tall Buildings.

7.36 Due to the dense nature of Camden with extensive range and coverage of heritage assets, such as conservation areas, numerous listed buildings and five strategic views and two background views crossing the borough, the Council do not consider that it is practical to identify broad areas either suitable, or not suitable, for tall buildings. In the borough, a site may be suitable for a tall building while adjacent sites are not, due to impact on either views, conservations areas or listed buildings. Indeed, in some cases, suitability for a tall building differs across a single site. Given Camden's environmental

characteristics, the entire borough is considered as being within the 'sensitive' category, as defined by the English Heritage / CABE Guidance on Tall Buildings. Tall building proposals in Camden will therefore merit detailed design assessments.

7.37 Further relevant guidance to the Council's approach to tall buildings is set out in:

- Area Action Plans including the Euston Area Plan and the Fitzrovia Area Action Plan;
- Site Allocations;
- Conservation area appraisals and management strategies;
- The Camden Character Study; and
- Neighbourhood Plans.

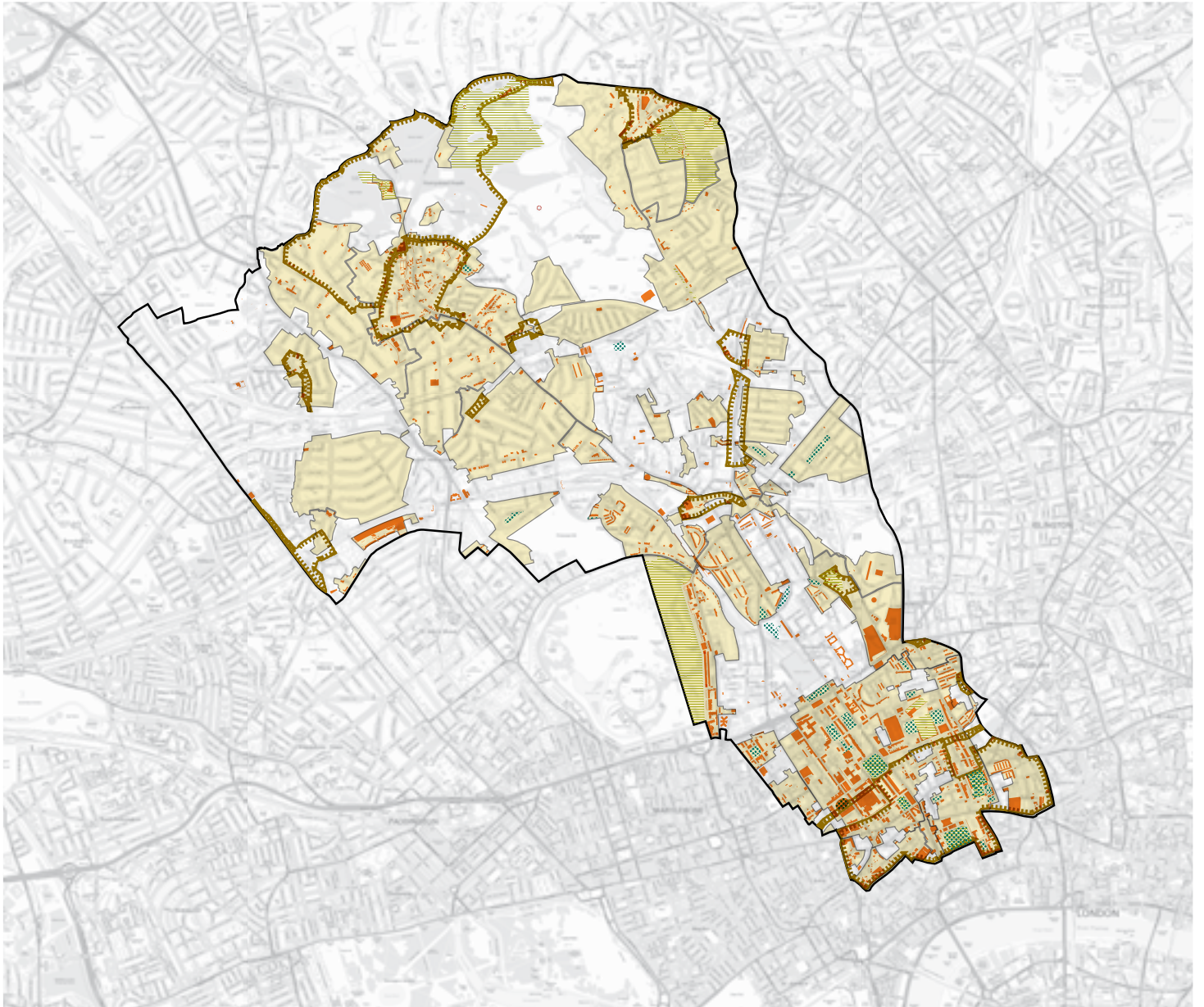
7.38 The Council will take these documents into account where relevant in assessing applications for tall buildings.

Heritage

Camden's heritage

- 7.39 Camden has a rich architectural heritage with many special places and buildings from throughout Camden's history (see "Map 4: Heritage and Archaeological Sites" on page 204). 39 areas, covering much of the borough, are designated as conservation areas, recognising their special architectural or historic interest and their character and appearance. We have prepared conservation area statements, appraisals and management strategies that provide further guidance on the character of these areas. We will take these documents into account as material considerations when we assess applications for planning permission in these areas.
- 7.40 Over 5,600 buildings and structures in Camden are nationally listed for their special historical or architectural interest and 53 of the borough's squares are protected by the London Squares Preservation Act 1931. In addition, 14 open spaces in Camden are on Historic England's Register of Parks and Gardens. The Council also maintains a local list of over 400 non-designated heritage assets. Camden also has a generally well-preserved archaeological heritage, with 13 identified archaeological priority areas, although this can be vulnerable to development and changes in land use.
- 7.41 The Council places great importance on preserving the historic environment. Under the Planning (Listed Buildings and Conservation Areas) Act the Council has a responsibility to have special regard to preserving listed buildings and must pay special attention to preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework states that in decision making local authorities should give great weight to conservation of designated heritage assets in a manner appropriate to their significance. The Council expects that development not only conserves, but also takes opportunities to enhance, or better reveal the significance of heritage assets and their settings.

Map 4: Heritage and Archaeological Sites



- Conservation area
- Listed building
- Archaeological priority area
- London Squares
- Gardens and Squares of Historic Interest
- Borough boundary

Policy D2 Heritage

The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

Designated heritage assets

Designated heritage assets include conservation areas and listed buildings. The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a. the nature of the heritage asset prevents all reasonable uses of the site;
- b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c. conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- d. the harm or loss is outweighed by the benefit of bringing the site back into use.

The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

Conservation areas

Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

The Council will:

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
- h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.

Listed Buildings

Listed buildings are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. To preserve or enhance the borough's listed buildings, the Council will:

- i. resist the total or substantial demolition of a listed building;
- j. resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building; and
- k. resist development that would cause harm to significance of a listed building through an effect on its setting.

Archaeology

The Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.

Other heritage assets and non-designated heritage assets

The Council will seek to protect other heritage assets including non-designated heritage assets (including those on and off the local list), Registered Parks and Gardens and London Squares.

The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.

Enhancing the historic environment

7.42

The Council has a proactive approach to conserving heritage assets. In addition to the application of Local Plan policies the Council protects the historic environment through the following areas of work:

- Conservation Area Management Strategies: The Council works with the Conservation Area Advisory Committees to update and support the implementation of the strategies.
- Heritage at Risk: The Council identifies buildings and structures at risk and proactively seeks to conserve and where required put them back into viable use, including identifying sources of funding.
- Local list of undesignated heritage assets: The Council introduced the local list in 2015 and it will be updated annually.
- Guidance: The Council has adopted detailed guidance for the preservation of heritage assets in the supplementary planning document Camden Planning Guidance 1: Design, and Retrofitting Planning Guidance (for sustainability measures in historic buildings). The Council updates planning guidance as required.
- Area based work: Conservation and enhancement of the historic environment is a key objective of area action plans and the Site Allocations.

The Fitzrovia Area Action Plan for example sets principles for developing key sites which retain and enhance the setting of listed buildings.

- 7.43 The Council recognises that development can make a positive contribution to, or better reveal the significance of, heritage assets and will encourage this where appropriate. Responding appropriately to the significance of heritage assets and its setting can greatly enhance development schemes (for example, King's Cross Central).

Designated heritage assets

- 7.44 Designated heritage assets include listed buildings and structures, registered parks and gardens and conservation areas. The Council will apply the policies above and will not permit harm to a designated heritage asset unless the public benefits of the proposal outweigh the harm. Further guidance on public benefits is set out in National Planning Practice Guidance (Paragraph: 020 Reference ID: 18a-020-20140306). Any harm to or loss of a designated heritage asset will require clear and convincing justification which must be provided by the applicant to the Council. In decision making the Council will take into consideration the scale of the harm and the significance of the asset.
- 7.45 In accordance with the National Planning Policy Framework the Council will only permit development resulting in substantial harm to or loss to a grade II listed building, park or garden in exceptional circumstances and will only permit development resulting in substantial harm to or loss to a grade I and II* listed building, grade I and II* registered park or garden in wholly exceptional circumstances.

Conservation areas

- 7.46 In order to preserve or enhance important elements of local character, we need to recognise and understand the factors that create that character. The Council has prepared a series of conservation area statements, appraisals and management plans that assess and analyse the character and appearance of each of our conservation areas and set out how we consider they can be preserved or enhanced. We will take these into account when assessing planning applications for development in conservation areas. We will seek to manage change in a way that retains the distinctive characters of our conservation areas and will expect new development to contribute positively to this. The Council will therefore only grant planning permission for development in Camden's conservation areas that preserves or enhances the special character or appearance of the area.
- 7.47 The character of conservation areas derive from the combination of a number of factors, including scale, density, pattern of development, landscape, topography, open space, materials, architectural detailing and uses. These elements should be identified and responded to in the design of new development. Design and Access Statements should include an assessment of local context and character and set out how the development has been informed by it and responds to it.
- 7.48 Due to the largely dense urban nature of Camden, the character or appearance of our conservation areas can also be affected by development which is outside of conservation areas, but visible from within them. This includes high or bulky

buildings, which can have an impact on areas some distance away, as well as adjacent premises. The Council will therefore not permit development in locations outside conservation areas that it considers would cause harm to the character, appearance or setting of such an area.

Demolition in conservation areas

- 7.49 The Council has a general presumption in favour of retaining buildings that make a positive contribution to the character or appearance of a conservation area, whether they are listed or not, so as to preserve this character and appearance. The Council will resist the total or substantial demolition of buildings which make a positive contribution to a conservation area unless circumstances are shown that outweigh the case for retention. Applicants will be required to justify the demolition of a building that makes a positive contribution to a conservation area, having regard to the National Planning Policy Framework, Camden's conservation area statements, appraisals and management strategies and any other relevant supplementary guidance produced by the Council.
- 7.50 When considering applications for demolition, the Council will take account of group value, context and the setting of buildings, as well as their quality as individual structures and any contribution to the setting of listed buildings. Applications must clearly show which buildings or parts of buildings are to be demolished.
- 7.51 Applications for total or substantial demolition in conservation areas must demonstrate to the Council's satisfaction that effective measures will be taken during demolition and building works to ensure structural stability of retained parts and adjoining structures. Before planning permission for demolition is granted, the Council must be satisfied that there are acceptable detailed plans for the redevelopment.
- 7.52 In addition proposals for demolition and reconstruction should be justified in terms of the optimisation of resources and energy use in comparison with the existing building. Further details on this are in "Policy CC1 Climate change mitigation".

Use

- 7.53 Changes in patterns of use can also erode the character of an area. It is therefore important that, whenever possible, uses which contribute to the character of a conservation area are not displaced by redevelopment. Two uses of particular importance to the character of conservation areas are pubs and local shops, especially when they are located in historic buildings. The Council will protect these uses as set out in "Policy C4 Public houses" and Section 9 Town Centres and Shops.

Details

- 7.54 The character and appearance of a conservation area can be eroded through the loss of traditional architectural details such as historic windows and doors, characteristic rooftops, garden settings and boundary treatments. Where alterations are proposed they should be undertaken in a material of a similar appearance to the original. Traditional features should be retained or reinstated

where they have been lost, using examples on neighbouring houses and streets to inform the restoration. The Council will consider the introduction of Article 4 Directions to remove permitted development rights for the removal or alterations of traditional details where the character and appearance of a conservation area is considered to be under threat.

Landscape

- 7.55 The value of existing gardens, trees and landscape to the character of the borough is described in “Policy A2 Open space” and they make a particular contribution to conservation areas. Development will not be permitted which causes the loss of trees or garden space where this is important to the character and appearance of a conservation area.

Sustainable design and retrofitting

- 7.56 Historic buildings including those in conservation areas can be sensitively adapted to meet the needs of climate change and energy saving while preserving their special interest and ensuring their long-term survival. In assessing applications for retrofitting sustainability measures to historic buildings the Council will take into consideration the public benefits gained from the improved energy efficiency of these buildings, including reduction of fuel poverty. These considerations will be weighed up against the degree to which proposals will change the appearance of the building, taking into consideration the scale of harm to appearance and the significance of the building. Applicants are encouraged to follow the detailed advice in Camden’s Retrofitting Planning Guidance, the energy efficiency planning guidance for conservation areas and the Historic England website.

Listed buildings

- 7.57 Camden’s listed buildings and structures provide a rich and unique historic and architectural legacy. They make an important and valued contribution to the appearance of the borough and provide places to live and work in, well known visitor attractions and cherished local landmarks. We have a duty to preserve and maintain these for present and future generations.
- 7.58 The Council has a general presumption in favour of the preservation of listed buildings. Total demolition, substantial demolition and rebuilding behind the façade of a listed building will not normally be considered acceptable. The matters which will be taken into consideration in an application for the total or substantial demolition of a listed building are those set out in the National Planning Policy Framework.
- 7.59 In order to protect listed buildings, the Council will control external and internal works that affect their special architectural or historic interest. Consent is required for any alterations, including some repairs, which would affect the special interest of a listed building.
- 7.60 The setting of a listed building is of great importance and should not be harmed by unsympathetic neighbouring development. While the setting of a listed building may be limited to its immediate surroundings, it can often extend some distance from it. The value of a listed building can be greatly diminished if

unsympathetic development elsewhere harms its appearance or its harmonious relationship with its surroundings. Applicants will be expected to provide sufficient information about the proposed development and its relationship with its immediate setting, in the form of a design statement.

Access in listed buildings

- 7.61 Where listed buildings and their approaches are being altered, disabled access should be considered and incorporated. The Council will balance the requirement for access with the interests of conservation and preservation to achieve an accessible solution. We will expect design approaches to be fully informed by an audit of conservation constraints and access needs and to have considered all available options. The listed nature of a building does not preclude the development of inclusive design solutions and the Council expects sensitivity and creativity to be employed in achieving solutions that meet the needs of accessibility and conservation.

Sustainability measures in listed buildings

- 7.62 Proposals that reduce the energy consumption of listed buildings will be welcomed provided that they do not cause harm to the special architectural and historic interest of the building or group. Energy use can be reduced by means that do not harm the fabric or appearance of the building, for instance roof insulation, draught proofing, secondary glazing, more efficient boilers and heating and lighting systems and use of green energy sources. Depending on the form of the building, renewable energy technologies may also be installed, for instance solar water heating and photovoltaics.

Archaeology

- 7.63 Camden has a rich archaeological heritage which comprises of both above and below ground remains, in the form of individual finds, evidence of former settlements and standing structures. These remains are vulnerable to modern development and land use. There are currently 13 archaeological priority areas in the borough (see “Map 4: Heritage and Archaeological Sites”) although these are scheduled for review in 2017.
- 7.64 The archaeological priority areas provide a general guide to areas of archaeological remains, but do not indicate every find site in the borough. These are based on current knowledge and may be refined or altered as a result of future archaeological research or discoveries.
- 7.65 It is likely that archaeological remains will be found throughout the borough, both within and outside the archaeological priority areas. Many archaeological remains have yet to be discovered, so their extent and significance is not known. When researching the development potential of a site, developers should, in all cases, assess whether the site is known or is likely to contain archaeological remains. Where there is good reason to believe that there are remains of archaeological importance on a site, the Council will consider directing applicants to supply further details of proposed developments, including the results of archaeological desk-based assessment and field evaluation. Scheduled monument consent must be obtained before any alterations are made to scheduled ancient monuments. Camden has only one

scheduled ancient monument: Boadicea's Grave in Hampstead Heath.

- 7.66 If important archaeological remains are found, the Council will seek to resist development which adversely affects remains and to minimise the impact of development schemes by requiring either in situ preservation or a programme of excavation, recording, publication and archiving of remains. There will usually be a presumption in favour of in situ preservation of remains and, if important archaeological remains are found, measures should be adopted to allow the remains to be permanently preserved in situ. Where in situ preservation is not feasible, no development shall take place until satisfactory excavation and recording of the remains has been carried out on site and subsequent analysis, publication and archiving undertaken by an archaeological organisation approved by the Council.
- 7.67 The Council will consult with, and be guided by, Historic England and the Greater London Archaeology Advisory Service (GLAAS) on the archaeological implications of development proposals. The Greater London Historic Environment Record, maintained by Historic England, contains further information on archaeological sites in Camden. When considering schemes involving archaeological remains, the Council will also have regard to the National Planning Policy Framework.

Other heritage assets

- 7.68 In addition to conservation areas, listed buildings and archaeological remains, Camden contains 14 registered parks and gardens, as identified by Historic England. There are also 53 London squares in the borough protected by the London Squares Preservation Act 1931. The Council will encourage the management of registered parks and gardens and London squares to maintain, and where appropriate, enhance their value and protect their setting. The Council will consult with Historic England over proposals affecting these parks and gardens. We also encourage the restoration and management of registered parks and gardens and London squares to enhance their value.

Non designated heritage assets

- 7.69 The borough also has many attractive, historic, locally significant buildings and features which contribute to the distinctiveness of local areas, but which are not formally designated. The National Planning Policy Framework identifies these features as non-designated heritage assets. Non-designated heritage assets may either be identified as part of the planning process or on Camden's Local List. Camden's Local List identifies historic buildings and features that are valued by the local community and that help give Camden its distinctive identity but are not already designated in another way (for example a listed building). When planning permission is required for any proposal that directly or indirectly affects the significance of a non-designated heritage asset (either on the Local List or not) then the Council will treat the significance of that asset as a material consideration when determining the application. The Local List is available at www.camden.gov.uk/locallist.

Climate change mitigation

- 8.1 The Council aims to tackle the causes of climate change in the borough by ensuring developments use less energy and assess the feasibility of decentralised energy and renewable energy technologies.
- 8.2 Green Action for Change: Camden's environmental sustainability plan (2011-2020) commits Camden to a 27% borough wide Carbon Dioxide (CO₂) reduction by 2017 and a 40% borough wide CO₂ reduction by 2020 (London carbon reduction target). Over 90% of Camden's carbon dioxide emissions are produced by the operation of buildings.
- 8.3 Any new development in Camden has the potential to increase carbon dioxide emissions in the borough. If we are to achieve local, and support national, carbon dioxide reduction targets, it is crucial that planning policy limits carbon dioxide emissions from new development wherever possible and supports sensitive energy efficiency improvements to existing buildings.

Policy CC1 Climate change mitigation

The Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation.

We will:

- a. promote zero carbon development and require all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy;
- b. require all major development to demonstrate how London Plan targets for carbon dioxide emissions have been met;
- c. ensure that the location of development and mix of land uses minimise the need to travel by car and help to support decentralised energy networks;
- d. support and encourage sensitive energy efficiency improvements to existing buildings;
- e. require all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building; and
- f. expect all developments to optimise resource efficiency.

For decentralised energy networks, we will promote decentralised energy by:

- g. working with local organisations and developers to implement decentralised energy networks in the parts of Camden most likely to support them;
- h. protecting existing decentralised energy networks (e.g. at Gower Street, Bloomsbury, King's Cross, Gospel Oak and Somers Town) and safeguarding potential network routes; and

- i. requiring all major developments to assess the feasibility of connecting to an existing decentralised energy network, or where this is not possible establishing a new network.

To ensure that the Council can monitor the effectiveness of renewable and low carbon technologies, major developments will be required to install appropriate monitoring equipment.

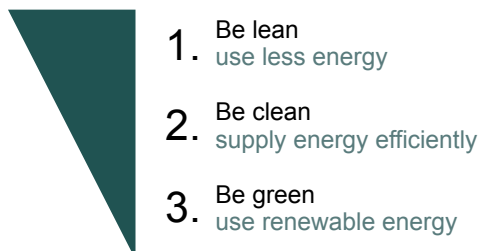
8.4 The Council commissioned two borough wide carbon reduction studies to ensure that local planning policy appropriately responds to the carbon emissions reduction challenge. Our first study, 'Delivering a low carbon Camden', considered carbon reduction scenarios to 2050 to align with the long-term national 80% carbon dioxide reduction target within the Climate Change Act 2008. Our later 2010 study focused specifically on the challenges of achieving a carbon dioxide reduction target of 40% by 2020.

8.5 Both studies concluded that meeting borough carbon dioxide reduction targets depends on the growth of Combined Heat and Power (CHP) led decentralised energy networks; the extensive thermal improvement of existing housing stock; behavior change; the significant deployment of appropriate renewable technologies; and the steady decarbonisation of the national electricity grid.

The energy hierarchy

8.6 The Council's Sustainability Plan 'Green Action for Change' commits the Council to seek low and where possible zero carbon buildings. New developments in Camden will be expected to be designed to minimise energy use and CO2 emissions in operation through the application of the energy hierarchy. It is understood that some sustainable design measures may be challenging for listed buildings and some conservation areas and we would advise developers to engage early with the Council to develop innovative solutions.

8.7 The energy hierarchy is a sequence of steps that minimise the energy consumption of a building. Buildings designed in line with the energy hierarchy prioritise lower cost passive design measures, such as improved fabric performance over higher cost active systems such as renewable energy technologies. The following diagram shows a simplified schematic of the energy hierarchy, which is explained further in supplementary planning document Camden Planning Guidance 3: Sustainability.



8.8 All developments involving five or more dwellings and/or more than 500 sqm of (gross internal) any floorspace will be required to submit an energy statement demonstrating how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction. All new residential development will also be

required to demonstrate a 19% CO₂ reduction below Part L 2013 Building Regulations (in addition to any requirements for renewable energy). This can be demonstrated through an energy statement or sustainability statement.

Be lean

- 8.9 Proposals should demonstrate how passive design measures including the development orientation, form, mass, and window sizes and positions have been taken into consideration to reduce energy demand, demonstrating that the minimum energy efficiency requirements required under building regulations will be met and where possible exceeded. This is in line with stage one of the energy hierarchy 'Be lean'.

Be clean

- 8.10 The second stage of the energy hierarchy 'Be clean' should demonstrate how the development will supply energy efficiently through decentralised energy. Please refer to the section below on decentralised energy generation.

Be green

- 8.11 The Council will expect developments of five or more dwellings and/or more than 500 sqm of any gross internal floorspace to achieve a 20% reduction in carbon dioxide emissions from on-site renewable energy generation (which can include sources of site related decentralised renewable energy), unless it can be demonstrated that such provision is not feasible. This is in line with stage three of the energy hierarchy 'Be green'. The 20% reduction should be calculated from the regulated CO₂ emissions of the development after all proposed energy efficiency measures and any CO₂ reduction from non-renewable decentralised energy (e.g. CHP) have been incorporated.
- 8.12 All major developments will also be expected to demonstrate how relevant London Plan targets for CO₂ reduction, including targets for renewable energy, have been met. Where it is demonstrated that the required London Plan reductions in carbon dioxide emissions cannot be met on site, the Council will require a financial contribution to an agreed borough wide programme to provide for local low carbon projects. The borough wide programme will be connected to key projects identified in the Council's Green Action for Change.
- 8.13 In cases where standards change or are superseded, the Council will use the equivalent replacement standards.

Sustainable patterns of development

- 8.14 The location of development and mix of land uses have a significant influence on the amount of energy used for transport, as well as whether we can generate or supply local energy efficiently. The Council will seek to make the most efficient use of Camden's limited land and steer growth and uses that will generate a large number of journeys to the most accessible parts of the borough. Development will be focused in Camden's growth areas, with other highly accessible locations, such as Central London and most of our town centres, also considered suitable for development that significantly increases travel demand. Please also refer to "Policy G1 Delivery and location of growth".

Resource efficiency, demolition and retrofitting existing buildings

Resource efficiency and demolition

- 8.15 Given the significant contribution existing buildings make to Camden's CO2 emissions, the Council will support proposals that seek to sensitively improve the energy efficiency of existing buildings. Further guidance on how the energy performance of existing homes in conservation areas can be improved without harming the character and appearance of the area can be found in our supplementary planning documents ('Energy efficiency planning guidance for conservation areas' and 'Retrofitting planning guidance'). "Policy D2 Heritage" further explains that the Council will take into consideration the public benefits gained from the improved energy efficiency of existing buildings.
- 8.16 The construction process and new materials employed in developing buildings are major consumers of resources and can produce large quantities of waste and carbon emissions. The possibility of sensitively altering or retrofitting buildings should always be strongly considered before demolition is proposed. Many historic buildings display qualities that are environmentally sustainable and have directly contributed to their survival, for example the use of durable, natural, locally sourced materials, 'soft' construction methods, good room proportions, natural light and ventilation and ease of alteration.
- 8.17 All proposals for substantial demolition and reconstruction should be fully justified in terms of the optimisation of resources and energy use, in comparison with the existing building. Where the demolition of a building cannot be avoided, we will expect developments to divert 85% of waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. We will also require developments to consider the specification of materials and construction processes with low embodied carbon content.
- 8.18 We will expect all developments, whether for refurbishment or redevelopment, to optimise resource efficiency by:
- reducing waste;
 - reducing energy and water use during construction;
 - minimising materials required;
 - using materials with low embodied carbon content; and
 - enabling low energy and water demands once the building is in use.

Embodied carbon

- 8.19 Embodied carbon is the carbon impact associated with the production, transport, assembly, use and disposal of materials. This will include consideration of maintenance and repair but does not include the carbon emissions associated with the energy used for heating, lighting or cooling in the completed building (please see "Policy T4 Sustainable movement of goods and materials"). Additionally, the Council will expect developers to consider the service life of buildings and their possible future uses to optimise resource efficiency. The durability and lifespan of the buildings' components should be matched to its likely service life, and where appropriate the building should be designed to be

flexible in terms of adaptation to future alternative uses in order to avoid the need for future demolition.

- 8.20 As part of the assessment of resource efficiency, all developments involving five or more dwellings and/or more than 500 sqm gross internal floor space are encouraged to assess the embodied carbon emissions associated with the development within the energy and sustainability statement. Where such an assessment has been completed we would encourage that the results are logged on the WRAP embodied carbon database in order to contribute to the embodied carbon knowledge base.
- 8.21 Further guidance on resource efficiency and embodied carbon assessment can be found in supplementary planning document Camden Planning Guidance 3: Sustainability.

Decentralised energy generation

- 8.22 Decentralised energy systems generate and supply electricity, heating or cooling close to where it is used, rather than at a large plant elsewhere and sent through the national grid. This method reduces transmission losses and lowers carbon emissions. Given the key role decentralised energy is expected to play in borough-wide carbon dioxide reduction, the Council shall expect new developments to play a pivotal role in their growth. Existing decentralised energy networks operate in Gower Street, King's Cross, Bloomsbury, Gospel Oak and Somers Town. It is important that Transport for London is consulted on proposals for energy networks which have the potential to impact upon London Underground infrastructure.
- 8.23 The Council's borough-wide Heat Demand and Heat Source Mapping (2015) identified that new decentralised energy networks are most likely to begin in, and expand out from, areas to the south of Euston Road (Russell Square and Great Ormond Street), areas in the centre of the borough (South Camden and Camley Street), Kentish Town and Kilburn. This is due to the scale and mix of developments in these locations.
- 8.24 Combined Heat and Power (CHP) led decentralised energy networks typically involve a CHP led energy centre supplying heat and electricity to nearby buildings. Cooling can also be incorporated in such systems where there is appropriate demand. Within the context of the energy hierarchy, gas fired networks are considered to sit within stage two, 'Be clean'. However, it is important to note that there are serious air quality implications for the use of CHP plants and biomass boilers. The use of biomass as a renewable energy source will be the Council's least preferred option for the provision of renewable energy and further information on this issue can be found in "Policy CC4 Air quality".
- 8.25 New developments are considered to be the most effective catalysts for decentralised energy network growth. The Council will therefore require all new major developments to assess the feasibility of connecting to an existing decentralised energy network, or where this is not possible establishing a new network. Developments will be required to follow the steps below, in the order

listed, to ensure that energy from an efficient source is used where possible:

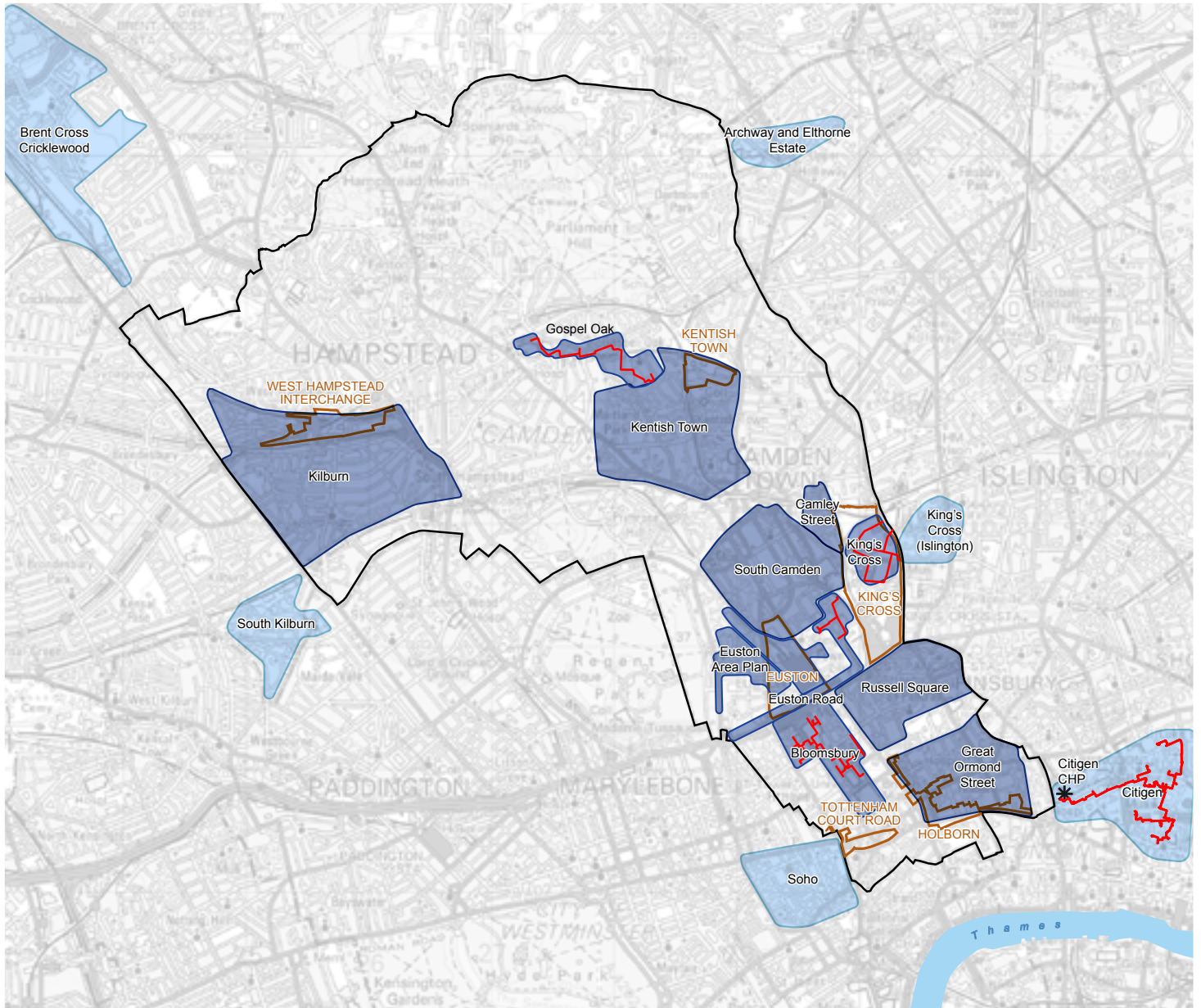
- **Connect immediately:** where feasible, development will be required to connect immediately to existing networks;
- **Connect in immediate future:** where networks do not currently exist, developments will be required to assess feasibility of connecting to identified future decentralised energy network opportunities in the vicinity of the site, having regard to “Map 5: Energy Networks” on page 226, area specific feasibility studies, energy plans and site allocations. Where shown to be feasible, development proposals must provide on-site infrastructure for connection and agree a timescale for connection where possible;
- **Provide a site wide low carbon network:** all major developments that cannot immediately connect to an existing or planned network should evaluate the feasibility of a site wide network using low carbon energy sources such as CHP or other low carbon technologies and examine the feasibility of extending the system beyond the site boundary to other sites within a 500m radius, prioritising communally heated Council buildings.

- 8.26 All major developments should incorporate communal heat distribution systems to facilitate a single point of connection to decentralised energy networks unless it can be clearly demonstrated that it is not applicable due to local circumstances. Major developments that do not connect to a network and are located within areas identified (see “Map 5: Energy Networks” and supplementary planning document Camden Planning Guidance 3: Sustainability) will be required to make a financial contribution towards Council-led decentralised energy feasibility and delivery within these areas. Developers in these areas may also be expected to collaborate with the Council in the production of such studies and install heating infrastructure in accordance with the study conclusions.
- 8.27 The Council does not support the installation of stand-alone CHP units in small developments where there is neither the potential nor the intention for that development to form part of a wider network. The administrative burden of managing small scale CHP electricity sales, and the low unit price available for small volumes of exported CHP electricity, means it is generally uneconomic for developers to pursue. This can lead to CHP being installed but not operated.

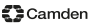
Monitoring

- 8.28 Energy performance software, used to inform energy statements, is evolving but does have limitations. The installation of monitoring equipment in all major developments will provide important information showing actual energy performance and will aid the Council’s and developers’ understanding of the effectiveness of measures implemented in the borough. Such data would also inform the Council as to whether policy requirements are being met. Monitoring shall include any renewable or low carbon technology that contributes to meeting London Plan Policy 5.2. A contribution will be sought towards monitoring. The cost of this should be no greater than the cost of metering equipment that is required to be installed through industry standard regulations.

Map 5: Energy Networks



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- Potential network areas
- Cross borough opportunities
- Existing heat networks
- Local Plan Growth Area
- Borough Boundary

Adapting to climate change

- 8.30 Climate change adaptation involves changing the way we do things to prepare for the potential effects of climate change. We need to ensure that buildings and people can adapt to changes already evident within the climatic system.
- 8.31 Adapting to a changing climate is identified in Camden's environmental sustainability plan, Green Action for Change (2011-2020). The three key risks which require adaptation measures are flooding, drought and overheating. Specific design measures and 'green infrastructure' such as green roofs, green walls and open spaces can help mitigate some of these risks.
- 8.32 Changes to our climate could also lead to:
- subsidence, due to increased shrinking and expanding of Camden's clay base;
 - poorer air quality;
 - a hotter microclimate;
 - increased summer electricity use due to increased demand for cooling; and
 - threats to the quantity and quality of our water supply.
- 8.33 Such risks impact upon the health and wellbeing of Camden residents, have financial implications and can have impacts upon whether plant and animal species thrive or decline. Ensuring new developments are designed to adapt to these risks should be a key consideration when assessing applications for development in the borough.

Policy CC2 Adapting to climate change

The Council will require development to be resilient to climate change.

All development should adopt appropriate climate change adaptation measures such as:

- a. the protection of existing green spaces and promoting new appropriate green infrastructure;
- b. not increasing, and wherever possible reducing, surface water run-off through increasing permeable surfaces and use of Sustainable Drainage Systems;
- c. incorporating bio-diverse roofs, combination green and blue roofs and green walls where appropriate; and
- d. measures to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy.

Any development involving 5 or more residential units or 500 sqm or more of any additional floorspace is required to demonstrate the above in a Sustainability Statement.

Sustainable design and construction measures

The Council will promote and measure sustainable design and construction by:

- e. ensuring development schemes demonstrate how adaptation measures and sustainable development principles have been incorporated into the design and proposed implementation;
- f. encourage new build residential development to use the Home Quality Mark and Passivhaus design standards;
- g. encouraging developments (conversions and extensions) of 500 sqm of residential floorspace or above or five or more dwellings to achieve “excellent” in BREEAM domestic refurbishment; and
- h. expecting non-domestic developments of 500 sqm of floorspace or above to achieve “excellent” in BREEAM assessments and encouraging zero carbon in new development from 2019.

Climate change adaptation measures

- 8.34 To minimise the risks connected with climate change we will expect the design of developments to consider anticipated changes to the climate. It is understood that some adaptation measures may be challenging for listed buildings and some conservation areas and we would advise developers to engage early with the Council to develop innovative solutions.

Green spaces

- 8.35 Camden is fortunate to have Hampstead Heath, Primrose Hill and Regent’s Park which collectively help to temper the urban over-heating in the north of Camden and provide relatively cool space in hot weather. To the south of the Euston Road there is less green space available. Throughout Camden we shall continue to protect our open and green spaces and where possible seek to create additional open spaces. Please see “Policy A2 Open space” for further information on Camden’s green spaces.
- 8.36 As well as limiting urban over-heating, green spaces help to slow the passage of rainwater to Camden’s drainage network, which in turn reduces the risk of surface water flooding during intense rainfall events. The planting of trees as part of new developments is encouraged but species selection and location will need to be carefully considered to avoid risks of subsidence, drying out the soil or excessive maintenance.

Sustainable drainage and biodiversity

- 8.37 To support a sustainable approach to drainage, all development should install green roofs, permeable landscaping, green walls and combination green and blue roofs, where appropriate. Further information on these systems can be found in our supplementary planning document Camden Planning Guidance 3: Sustainability.
- 8.38 As well as playing a vital role in slowing the speed at which rainwater enters the drainage network, green roofs provide valuable habitats which promote biodiversity, cool the local microclimate and can provide visual amenity. Green roof specifications should be tailored to realise the benefits most suitable for the site and should consider appropriate drought resistant planting to ensure that they can survive hot summers with minimal maintenance.

Urban heat island

- 8.39 The Council will discourage the use of air conditioning and excessive mechanical plant. In addition to increasing the demand for energy, air conditioning and plant equipment expel heat from a building making the local micro-climate hotter. Where the use of this equipment is considered acceptable by the Council, for example where sterile internal air is required, we will expect developments to provide an appropriate level of mitigation towards cooling the local environment. Cooling measures could be passive or active, such as introducing planting in the public realm, green walls and roofs or other measures as recommended in the Mayor's Sustainable construction and design supplementary planning document.
- 8.40 Trees near buildings to mitigate the urban heat effect are best placed to the west, south-west or south of buildings with small leafed species likely to offer the greatest impact. Green spaces and wider green infrastructure should be a minimum of 0.5ha in order to achieve cooling at significant distances beyond site boundaries (Forestry Commission, Air temperature regulation by urban trees and green infrastructure, 2013).

Cooling

- 8.41 All new developments will be expected to submit a statement demonstrating how the London Plan's 'cooling hierarchy' has informed the building design. Any development that is likely to be at risk of overheating (for example due to large expanses of south or south west facing glazing) will be required to complete dynamic thermal modelling to demonstrate that any risk of overheating has been mitigated.
- 8.42 Active cooling (air conditioning) will only be permitted where dynamic thermal modelling demonstrates there is a clear need for it after all of the preferred measures are incorporated in line with the cooling hierarchy.
- 8.43 The cooling hierarchy includes:
- Minimise internal heat generation through energy efficient design;
 - Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls;
 - Manage the heat within the building through exposed internal thermal mass and high ceilings;
 - Passive ventilation;
 - Mechanical ventilation; and
 - Active cooling.

Sustainable design and construction measures

- 8.44 When a building is constructed, the accessibility of its location; its density and mix of uses; its detailed design taking into account the orientation of the site; and the mechanical services and materials chosen can all have a major impact on its energy efficiency. The Council will require all schemes to consider sustainable development principles from the start of the design process and include these in their Design and Access Statement and/or Sustainability Statement. Developments of five or more dwellings or 500 sqm of any

floorspace should address sustainable development principles in an Energy and Sustainability Statement.

- 8.45 In all cases where assessment methods are changed or superseded, the Council will use the equivalent replacement standards.

BREEAM and BREEAM domestic refurbishment

- 8.46 BREEAM (Building Research Establishment Environmental Assessment Method) is a tool that enables us to assess the environmental sustainability of a development.

- 8.47 BREEAM and BREEAM domestic refurbishment contains the following categories: Energy, Water, Materials, Waste, Surface Water, Management, Transport, Land use, Ecology, Health and Wellbeing, and Pollution. Each category contains credits that can be obtained by implementing a sustainable design or construction measure. We have been successfully applying sub-targets, which we developed in consultation with the Building Research Establishment within the assessment categories of Energy, Water and Materials. The securing of the credits in these categories is considered to have the greatest environmental benefits and more information can be found in our supplementary planning document Camden Planning Guidance 3: Sustainability.

- 8.48 The sustainability of residential development arising from conversions, extensions and changes of use can be assessed through the use of BREEAM domestic refurbishment. We will encourage developments of five or more dwellings or 500 sqm of residential floorspace or above resulting from conversions, extensions and changes of use to achieve an excellent rating in BREEAM domestic refurbishment.

- 8.49 The Council will expect the application of a BREEAM assessment to non-residential developments (including conversions, extensions and changes of use) of 500 sqm or more. We will expect these to achieve a BREEAM rating of excellent and will encourage zero carbon from 2019.

Other assessment measures

- 8.50 The Home Quality Mark, launched 2015, is one way of demonstrating the standard of a new residential dwelling, which includes measures for low CO₂, sustainable materials, good air quality and natural daylight. The Council will strongly encourage schemes to use the Home Quality Mark. The use of Passivhaus standard is also encouraged in demonstrating energy efficient design. Further details on energy efficient design and principles and Passivhaus are set out in our supplementary planning document Camden Planning Guidance 3: Sustainability.

Prioritising walking, cycling and public transport

- 10.8 To promote sustainable transport choices, development should prioritise the needs of pedestrians and cyclists and ensure that sustainable transport will be the primary means of travel to and from the site.
- 10.9 Walking is a zero carbon means of transport and provides significant benefits in terms of promoting healthy lifestyles and helping to create more vibrant streets and public spaces. Between 2006-2014, travel by bicycle increased by 82%. The Council therefore seeks to build on this by improving cycling facilities, routes and creating the conditions that will encourage further take up of cycling. Contributions may also be sought to improve Camden's bus network where necessary.

Policy T1 Prioritising walking, cycling and public transport

The Council will promote sustainable transport by prioritising walking, cycling and public transport in the borough.

Walking

In order to promote walking in the borough and improve the pedestrian environment, we will seek to ensure that developments:

- a. improve the pedestrian environment by supporting high quality public realm improvement works;
- b. make improvements to the pedestrian environment including the provision of high quality safe road crossings where needed, seating, signage and landscaping;
- c. are easy and safe to walk through ('permeable');
- d. are adequately lit;
- e. provide high quality footpaths and pavements that are wide enough for the number of people expected to use them. Features should also be included to assist vulnerable road users where appropriate; and
- f. contribute towards bridges and water crossings where appropriate.

Cycling

In order to promote cycling in the borough and ensure a safe and accessible environment for cyclists, the Council will seek to ensure that development:

- g. provides for and makes contributions towards connected, high quality, convenient and safe cycle routes, in line or exceeding London Cycle Design Standards, including the implementation of the Central London Grid, Quietways Network, Cycle Super Highways and;
- h. provides for accessible, secure cycle parking facilities exceeding minimum standards outlined within the London Plan (Table 6.3) and design requirements outlined within our supplementary planning

document Camden Planning Guidance 7: Transport. Higher levels of provision may also be required in areas well served by cycle route infrastructure, taking into account the size and location of the development;

- i. makes provision for high quality facilities that promote cycle usage including changing rooms, showers, dryers and lockers;
- j. is easy and safe to cycle through ('permeable'); and
- k. contribute towards bridges and water crossings suitable for cycle use where appropriate.

Public Transport

In order to safeguard and promote the provision of public transport in the borough we will seek to ensure that development contributes towards improvements to bus network infrastructure including access to bus stops, shelters, passenger seating, waiting areas, signage and timetable information. Contributions will be sought where the demand for bus services generated by the development is likely to exceed existing capacity. Contributions may also be sought towards the improvement of other forms of public transport in major developments where appropriate.

Where appropriate, development will also be required to provide for interchanging between different modes of transport including facilities to make interchange easy and convenient for all users and maintain passenger comfort.

Walking

- 10.10 "Policy D1 Design" and our supplementary planning documents Camden Planning Guidance 1: Design and Camden Planning Guidance 7: Transport set out the Council's approach to providing attractive streets and spaces. Public realm improvements will primarily be delivered by the Council using our own funding and, where appropriate, developer contributions and funding from Transport for London. The Council will continue to work with Transport for London and neighbouring London boroughs to deliver improved pedestrian accessibility and way finding within Camden and into neighbouring boroughs.

Cycling

- 10.11 Cycling is an increasingly popular and sustainable means of travel which we hope to encourage further. The Council will therefore seek to ensure that developments contribute to and, where appropriate, provide appropriate links to strategic cycle routes. We will also expect cycle parking to be convenient and secure, so that users of a development are more likely to use bicycles to travel to and from a site. Details regarding cycle parking standards and design can be found within our supplementary planning document Camden Planning Guidance 7: Transport.

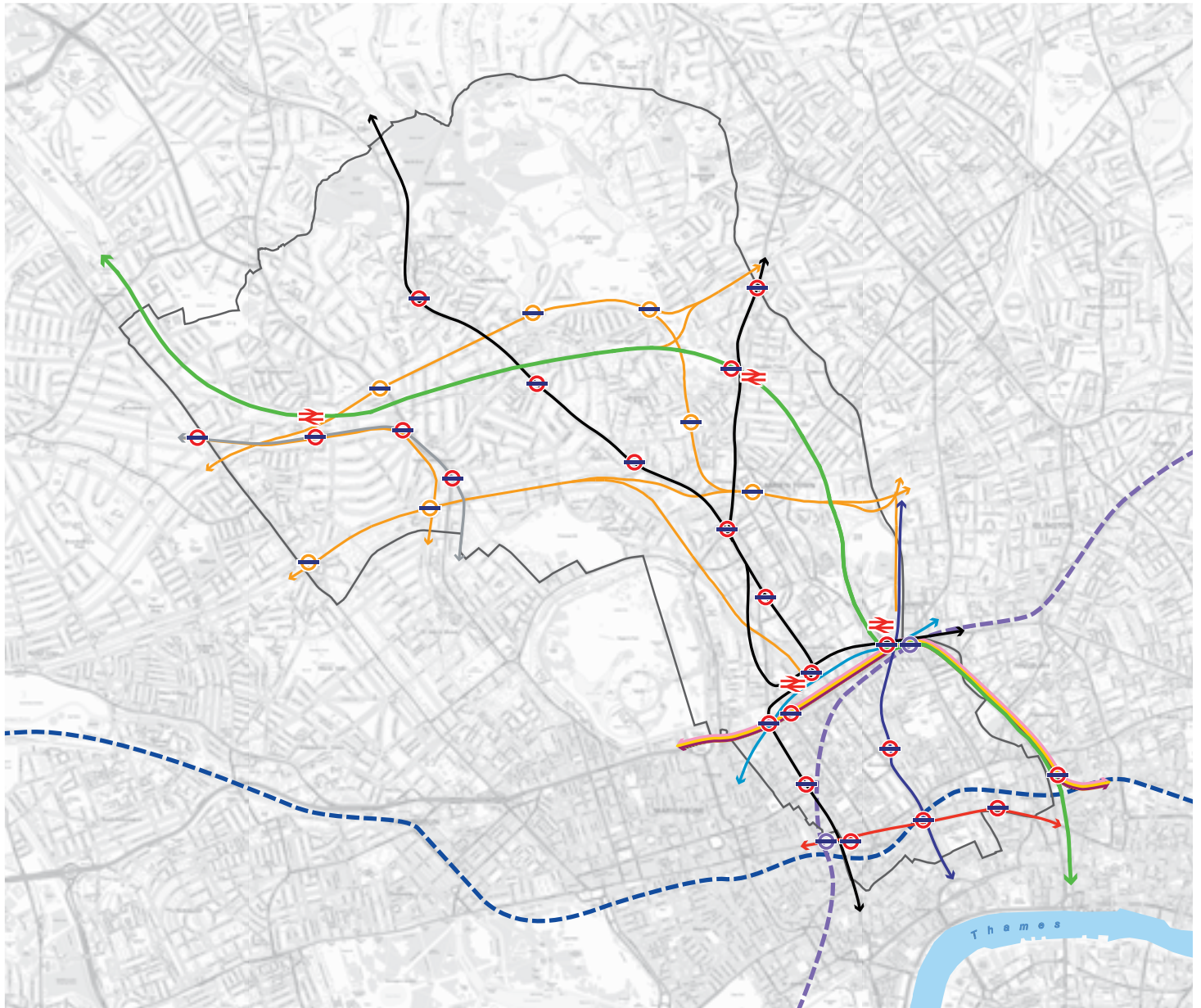
Public transport

- 10.12 In partnership with Transport for London, which manages the public transport network across London, the Council will ensure that Camden's growth is

matched by improvements to public transport through planning obligations. It is expected that the majority of contributions towards public transport improvements will be sought towards bus network infrastructure (such as bus stops, shelters, passenger seating, waiting areas, signage, timetable information etc.) where the demand for bus services generated by the development is likely to exceed existing capacity (assessed through Transport Assessments). The Council may also seek contributions from major developments towards other forms of public transport if an existing public transport improvement scheme is available and related to the development. Details regarding public transport contributions can be found within our supplementary planning document, Camden Planning Guidance 8: Obligations. Details regarding Transport Assessments can be found within Camden Planning Guidance 7: Transport.


- 10.13 Most journeys involve changing between one form of travel and another and developments will sometimes need to cater for this. Passenger transport interchange facilities should provide for the coordination of arrival and departure timetabling on different services as far as possible. Interchanges catering for longer distance journeys should include toilets, baby changing facilities and facilities to provide refreshment for travellers.
- 10.14 Public transport should be accessible to all, however there are a number of rail and tube stations within Camden that do not offer step-free access. Step-free stations offer accessible routes from entrance to platform via lifts and/or ramps without the need for stairs and/or escalators. Step-free projects are largely managed by Transport for London and/or rail network companies. The Council will however promote step-free access where possible and work with organisations seeking to implement step-free access at Camden stations.

Map 8: Regional Rail networks



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- | | |
|---|--|
|  Crossrail, Crossrail 2 | Underground |
|  Thameslink |  Bakerloo |
|  Overground |  Central |
| |  Circle |
| |  Hammersmith & City |
| |  Jubilee |
| |  Metropolitan |
| |  Northern |
| |  Piccadilly |
| |  Victoria |
| |  Overground |

Parking and car-free development

- 10.15 Limiting the opportunities for parking within the borough can reduce car ownership and use and therefore lead to reductions in air pollution and congestion and improve the attractiveness of an area for local walking and cycling. Car-free development will also mean that the borough's limited land can be used more efficiently, which will help to free up space to allow additional housing, employment uses, community facilities, play areas, amenity spaces and cycle parking. The Council does however also recognise that some people, businesses and organisations, rely on private car use as their only transport option. Parking provision for disabled people and essential uses will therefore be considered where necessary.
- 10.16 Camden is well connected. In most areas of the borough, essential day to day services such as shops, healthcare and education facilities and employment opportunities are no more than short journey away by walking, cycling or public transport. To compliment Camden's existing levels of parking provision, the borough currently also has the largest car club network in London, with over 250 car club parking bays. The car club network therefore provides a real alternative to private car ownership for people who need to use a car occasionally.

Policy T2 Parking and car-free development

The Council will limit the availability of parking and require all new developments in the borough to be car-free.

We will:

- a. not issue on-street or on-site parking permits in connection with new developments and use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits;
- b. limit on-site parking to:
 - i. spaces designated for disabled people where necessary, and/or
 - ii. essential operational or servicing needs;
- c. support the redevelopment of existing car parks for alternative uses; and
- d. resist the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking.

Car-free in new developments

- 10.17 Car-free development means that no car parking spaces are provided within the site other than those reserved for disabled people and businesses and services reliant upon parking, where this is integral to their nature, operational and/or servicing requirements (e.g. emergency services, storage and distribution uses). In addition, current and future occupiers are not issued with on-street parking permits.

- 10.18 All new residential developments in the borough should be car-free. Parking will only be considered for new non-residential developments where it can be demonstrated that the parking provided is essential to the use or operation of the development. Staff parking is not considered essential and will not be permitted. Parking for disabled people for both residential and non-residential developments should be provided where it can be demonstrated as necessary, taking into account existing availability of on-street parking for Blue Badge holders. Further information can be found within Camden Planning Guidance on transport.

Redevelopments

- 10.19 Land is an important resource, particularly within a densely populated area such as Camden. The Council will therefore support the development of parking space for alternative uses.
- 10.20 In redevelopment schemes, the Council will consider retaining or re-providing existing parking provision where it can be demonstrated that the existing occupiers are to return to the address when the development is completed. This is common where an existing dwelling or block is being extended or subdivided. It can also occur where a change of use brings a site or property into residential occupation. If a development is to have new occupiers, this should be car-free. Where redevelopment involves a town centre car park identified in Camden's Site Allocations Plan as supporting the functioning of the town centre, the Council will consider the retention of the existing parking provision or a lower level of provision on-site. Any new development on the existing car park should be car free in accordance with Policy T2.

Boundary treatments and gardens

- 10.21 Parking can cause damage to the environment. Trees, hedgerows, boundary walls and fences are often the traditional form of enclosure on Camden's streets, particularly in conservation areas, contributing greatly to their character, as recognised in Camden's Conservation Area Appraisals and Management Strategies. This form can be broken if garden features are replaced by areas of paving or hard standing. Development of boundary treatments and gardens to provide on-site private parking often requires the loss of much needed public on-street parking bays to create vehicle crossovers. Areas of paving can also increase the volume and speed of water run-off. This adds to the pressure upon the drainage system and increases the risk of flooding from surface water. Developments seeking to replace garden areas and/or boundary treatments for the purposes of providing on-site parking will therefore be resisted.

Appendix 2 Council's Basement Webpage

Extract from Camden website accessed 31/05/2017

<http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/basement-developments/basement-developments/>

The screenshot shows a web browser window with the URL <http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/basement-developments/basement-developments/>. The page header includes the Camden Council logo, navigation links for News, Accessibility, and SignFree, and a search bar. A secondary navigation menu lists various council services, with 'Environment' highlighted. The breadcrumb trail reads: / Environment / Planning and built environment / Planning applications / Making an application / Supporting information / Supporting information (hidden).

Environment

- ▶ Planning and built environment
 - ▶ Planning applications
 - ▶ Making an application
 - ▶ Supporting information

Basement developments

Basement developments

Where your proposed development includes a new or extended basement you will need to submit a statement assessing the impact of the development on drainage, flooding, groundwater conditions and structural stability. This information should be contained within a Basement Impact Assessment (BIA) which is specific to your site and proposal.

The information below provides further details about what information this document should include, how to submit it to us and where further information can be found.

What information should be included when submitting applications for basement developments?

When submitting applications for basement developments, the level of technical information required will vary according to the type of the development, but is likely to include:

- Desktop study of existing geological and hydrological conditions of the site and the wider area in order to identify areas susceptible to instability (ground and water movement) and localised flooding – this needs to be site specific
- Detailed engineering study undertaken by a chartered engineer/geologist to assess local ground conditions, water movement, subsidence and drainage including through the use of boreholes, potential impacts on adjoining/nearby properties
- Identify suitable construction methods and mitigation measures for developments which may affect the stability of the and neighbouring buildings and/or nearby structures, and hydrology (at the site and within the area), without placing additional pressure on other areas or on the local combined sewer network
- Devise a method for monitoring local ground conditions, water movement, subsidence and drainage
- The Audit Instruction Form (Section B) (see below) sets out a helpful checklist of information normally required in a BIA and you are encouraged to complete it when preparing your BIA for submitting with your planning application

All technical reports should be prepared by a suitably qualified chartered engineer or chartered geologist who is a member of the relevant professional body. Refer to Section 6.7 of the ARUP Camden geological, hydrogeological and hydrological study for details. Section 8 of the ARUP study sets out a list of issues you need to assess in your report (link to the study below).

How does Camden assess applications for basement development?

In order to provide the Council with greater certainty over the potential impacts of your basement development, we will generally require an independent technical audit (independent verification) of your Basement Impact Assessment, as set out in Camden Planning Guidance 4. The Council has chosen [Campbell Reith](#) as its single framework provider for the audit service.

If your Basement Impact Assessment requires an audit the case officer will require you to complete section B of the Audit Instruction Form in order to get a fee quote from Campbell Reith. To avoid passing costs to the taxpayer Camden will require you, as the applicant, to agree in advance that you will pay for the audit once it is complete. The Audit process is governed by the Terms of Reference, which also sets out Campbell Reith's fee structure.

How do I submit an application for a basement development?

If you apply for planning permission online using the [Planning Portal](#), you will be given the opportunity to upload a general statement on meeting the terms of Camden's Development Policy 27 after you have completed the relevant application forms. Before uploading any files please read our [guidance notes for submitting electronic files with planning applications](#) (PDF)

Further information and guidance on basement developments:

- Camden Planning Guidance 4 Basements and lightwells: download from the [Camden Planning Guidance page](#)
- Camden Development Policies (PDF)
- ARUP Camden geological, hydrogeological and hydrological study (downloads under "Basements and flooding")
- Audit Instruction Form (Section B) (Word document)
- Audit process Terms of Reference (PDF)

The single framework provider approach was agreed by the Cabinet Member for Sustainability, Transport and Planning in September 2014 as part of a 'Strategy for the Procurement of a Provider of a Basement Impact Assessment service' (PDF). In 2014 Camden tendered the contract for a single framework provider for the audit service.

Would you like to provide feedback?▼

Camden

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Appendix 3 Appeal Decision 1A Glastonbury Street

Appeal Decision

Site visit made on 24 March 2017

by **Jonathan Hockley BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28th April 2017

Appeal Ref: APP/X5210/W/16/3165335

1A Glastonbury Street, London NW6 1QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Brian Taitz against the decision of the Council of the London Borough of Camden.
 - The application Ref 2016/2896/P, dated 23 May 2016, was refused by notice dated 10 August 2016.
 - The development proposed is the Demolition of the existing vacant mechanics garage and erection of three-storey dwelling (including basement level) with associated access, amenity space, refuse and recycling storage and cycle storage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are as follows:
 - The effect of the proposal on the character and appearance of the surrounding area,
 - The effect of the proposal on the living conditions of neighbouring occupiers on Ravenshaw Street, with particular regard to outlook,
 - Whether the proposal would provide satisfactory living conditions for the future occupiers of the property, with regard to sunlight, daylight, headroom and provision of private amenity space, and
 - Whether the proposal would result in the loss of employment opportunities.

Reasons

Character and appearance

3. Glastonbury Street lies within a small patchwork of roads that lie in an area of land between the fairly busy Mill Lane to the north and train lines to the south. The land in the area falls roughly towards the south from the higher point of Mill Lane. Glastonbury Street itself is fairly level and is sited along the southern boundary of Beckford Primary School, an imposing yellow stock brick school with red brick dressings which stands high above the lower Glastonbury Street.
-

4. Glastonbury Street itself has a short run of two storey red brick terraced properties set on its southern side, which are set back from the pavement edge, and whose rear gardens back on to the rear gardens of houses in Ravenshaw Street to the south. The houses have distinctive moulded architraves and large canted moulded flat roofed bay windows to front, with noticeable dentilled eaves below the slate roofs.
5. At the western end of the street there is a single storey flat roof building which abuts the pavement. This was previously a garage/mechanics, but at the time of my visit was derelict. Despite being set forward of the houses on the street, the single storey nature and painted brick of the building ensures that it remains fairly low key in the street scene. The garage fills its triangle shaped plot, with its eastern boundary abutting No 1 Glastonbury Street, and its southern side running along the rear of Nos 36-42 (evens) Ravenshaw Street. As a result of the topography of the area, the site is set higher than the rear gardens of these properties.
6. The proposal seeks to demolish the garage and construct a 2 storey property with basement. The eaves and ridge line of the pitched roof of the proposal would be set slightly below No 1 Glastonbury Street, with shorter windows at first floor level proposed to ensure that the ground floor fenestration follows the pattern of the street, and the scheme would be set back to follow the building line. As a result of the shape of the site, the southern elevation of the house would be angled along the rear boundary. Both southern and the shorter western elevations are proposed to be 'green walls'. The basement would be set underneath the entire plot, save for a small sunken garden in the western corner of the site.
7. Whilst the façade of the proposal clearly seeks to mimic its surroundings and follow the rhythm of the street, I am not convinced that it succeeds. Whilst the property closest to the appeal site has a lower roof ridge than those to the east, it maintains virtually the same ridge line. The reduced eaves line of the proposal would differ from this pattern, leading to the smaller first floor windows, the proportions of which would appear out of place in the street scene. Furthermore, the shortened western elevation would also I consider appear out of place in the regularly proportioned terrace. The proposed green treatment of this wall would also draw the eye to this feature.
8. I therefore conclude that the proposal would have an adverse effect on the character and appearance of the surrounding area. The proposal would be contrary to policy 2 of the Neighbourhood Plan¹, policies CS5 and CS14 of the Core Strategy² and Policy DP24 of the Development Policies document³ (the DPD), which, when taken together, state that development should provide buildings of the highest quality and standard of design that respect the local context, character, identity, and the form and scale of neighbouring buildings, providing development which positively interfaces with the street and streetscape.

¹ Fortune Green and West Hampstead Neighbourhood Plan March 2015

² Camden Core Strategy 2010-2025 Local Development Framework, 2010

³ Camden Development Policies 2010-2025 Local Development Framework, 2010

Living condition of neighbouring residents

9. Nos 36-42 (evens) Ravenshaw Street are two storey terraced properties with outriggers to the rear. Nos 36, 38 and 40 all have flat roofed dormers located in their rear roofscapes. Their private rear amenity areas are located up to the boundary with the appeal site, and due to the difference in levels the existing rear single storey wall of the former garage forms a hard boundary of significant height.
10. The proposed two storey dwelling would significantly increase the height of this boundary wall; from Nos 36 and 38 the western wall of the proposal would be clearly visible, and from No 40 the southern wall of the scheme would be sited directly on the boundary.
11. Whilst the scheme has been designed with no windows in such elevations to avoid overlooking, and due to the orientation of the dwellings daylight and sunlight would not be significantly affected, the sheer mass and proximity of the side and rear wall of the proposal would dominate the outlook from the private amenity areas of Nos 36, 38, and particularly from No 40. This property is already affected more due to the topography of the area and the proposal would add to this adverse effect, dominating and overbearing the rear garden and the view from the rear patio doors of this property. The appellant notes that a sense of enclosure can be a good thing, providing a sense of privacy. However, the existing rear wall already provides such a sense; the proposal would effectively extend this wall and create a claustrophobic sense of enclosure.
12. The appellant draws my attention to other examples in the local area where similar building relationships exist. I fully accept that in a densely populated terraced area distances between the external walls of houses may be closer than would be the case in other less dense areas. However, I have little details of the other relationships highlighted by the appellant other than a plan; furthermore, examples of other situations where living conditions may not be optimal in terms of outlook do not justify further examples to be constructed.
13. Furthermore, whilst the green wall on the western elevation would be maintainable from the garden area of the property, it is difficult to see how the southern wall would. This wall would primarily directly border No 40 and hence maintenance would seemingly need to be through the garden of this property. In the absence of any maintenance proposal and agreement I am not convinced that a condition would cover this matter given the possible requirement to access third party land. This could lead to a situation where the wall was unmaintained, adding to the adverse outlook for neighbouring residents.
14. I therefore conclude that the proposal would have a significant adverse effect on the living conditions of neighbouring occupiers on Ravenshaw Street, with particular regard to outlook, and would be contrary to policy CS5 of the Core Strategy and Policy DP26 of the DPD which state in this context that any impact of development on their neighbours should be fully considered and their amenity protected, and permission will not be granted for development which causes harm in terms of outlook. I note on this point that paragraph 3.3.4 of the Council's appeal statement says that the proposal would comply with these policies; however, given the preceding words in this paragraph and statement and the decision notice this appears to be a typographical error.

Living conditions – future residents

15. Habitable rooms in the above ground levels of the proposed dwelling would all be north facing, with a bedroom at first floor level and a living room at ground floor. In the basement light would be provided to the kitchen diner and bedroom by large lights set in the front yard and garden of the proposal. A daylight and sunlight report⁴ submitted by the appellant finds that all rooms would meet the Building Research Establishment (BRE) target values for internal daylight levels. Sunlight levels would fall marginally below the target values, with the kitchen diner and living room. However, I note in this respect particularly in the case of the ground floor living room that this would presumably be little different to other north facing rooms in the street.
16. Concern is raised over the headroom in the basement level, which would provide 2.1m of height. Revised plans have indicated that this could be extended to 2.5m without altering the exterior design of the proposal, which would be sufficient to ensure that the living conditions of future residents in this respect were acceptable.
17. The proposal would provide a two bedroom property, with both of the rooms being of a sufficient size to host a double bed. It is reasonable to consider therefore that at least a couple or a small family could reside in the house. Based on the Council's figures, the side garden to the property would measure some 12m², with a smaller sunken garden of some 4m² adjacent to the basement bedroom. The side garden would also provide cycle storage and a large proportion of it would have the roof light to the underground bedroom as its floor/base. The daylight and sunlight report demonstrates that only a small area of the amenity area would benefit from at least 2 hours of sunshine in the spring. Whilst a larger area would benefit in the summer, when combined with the size of the garden, the fact that a large part of the side garden could not be grassed or used for sitting out due to the roof light, I do not consider that the proposal would provide a reasonable amount of private, usable amenity space.
18. Whilst I therefore consider that future residents of the scheme would experience satisfactory levels of daylight, sunlight and headroom in the basement, the proposal would not provide satisfactory living conditions for the future occupiers of the property with regard to the provision of private amenity space. In this respect the scheme would be contrary to policy CD5 of the Core Strategy and DP26 of the DPD which together state that the Council will protect the amenity of Camden's residents by making sure that the impact of development on their occupiers is fully considered and that all developments should provide outdoor space for private amenity space, wherever practical. I note that the wording and supporting text to Policy DP26 states that the Council recognise that gardens may not always be realistic or appropriate in many parts of the Borough. However, given the character of the surrounding area, of primarily residential dwellings with largely private rear amenity spaces and the reasonable size of the proposed dwelling I consider it appropriate and practical in this case.

Employment Opportunities

19. Policy DP13 of the DPD seeks to protect employment uses in the Borough. Any loss of employment land is required to demonstrate that the site or building is

⁴ Daylight and Sunlight Report, Malcolm Hollis 06/05/16

no longer suitable for existing building use, and evidence is provided that the possibility of retaining, reusing or redeveloping the site or buildings has been fully explored for an appropriate length of time. Policy 12 of the Neighbourhood Plan provides for a presumption in favour of retaining existing employment sites and Policy CS8 of the Core Strategy states that the Council will safeguard existing employment premises in the borough that meet the needs of modern industry.

20. On my visit, although secure, I noted that the premises were fairly run down, with evidence of water ingress and internal plant growth. A structural report for the Council dating from 2011 states that the property was at that time in poor structural conditions with numerous inherent defects. The report states that the condition of the structure is such that it should be considered for demolition; remedial works could be undertaken but would only enhance the structure for a limited time.
21. Fairly limited marketing information has been provided, covering less than the two years that the supporting text of DPD Policy DP13 refers to. However, marketing has taken place for around 12-18 months with no interest received. Given the documented condition of the property, along with the fact that such condition would have deteriorated since 2011, exacerbated since the unit became derelict since around the end of 2015, it is not surprising that little interest has been received in continuing the garage as an employment use.
22. I also note the residential nature of the surrounding area; aside from the school the area is solely residential. When combining all these factors together I consider that the limited loss of employment land that the proposal would cause would not be unreasonable, and realistically the proposal would not result in a loss of employment opportunities. The Framework notes that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Whilst the proposal would conflict with DPD Policy DP13 and Neighbourhood Plan Policy 12 I find the circumstances of the site and the case such that these considerations outweigh the development plan in this one particular instance, and given the condition of the unit I find no conflict with Core Strategy policy CS8.

Other Matters

23. The evidence includes a Basement Impact Assessment (BIA) to consider the structural integrity of the scheme and the impact that subterranean activity could have on adjoining properties and land. The report notes that the basement would involve excavation into London clay which can shrink and swell, and recommends mitigation, including structural condition reports of adjacent properties prior to development commencing.
24. Supplementary Planning Guidance in the form of Camden Planning Guidance Note 4⁵ (CPG4) requires independent verification of BIAs to provide greater certainty over the impacts of such development. Given the fact that the basement would cover the whole of the proposed site, and the topography of this area I consider such verification would be required. The appellant has not provided this information, considering that this could be conditioned if necessary.

⁵ Camden Planning Guidance Basements and lightwells CPG4, July 2015

25. Whilst I note and sympathise with their view that there was little point in going to the expense of commissioning verification during the application process once they were aware that the scheme was going to be refused, I do not consider it a matter that can be conditioned. Such verification may flag up issues or unexpected costs which may make a scheme unviable or technically impossible, and not therefore resolvable by condition. The proposal would therefore be contrary to CPG4, as well as Core Strategy Policy CS5 and DPD policy DP27, which together state that the impact of development on neighbours should be fully considered and demonstrated. This conflict adds weight to my overall decision.
26. Reasons for refusal are also based on the lack of a legal agreement to provide for a construction management plan, a car free development and a contribution towards public highway works. A draft legal undertaking has been submitted by the appellant to address such matters, although the undertaking remains in draft. However, given that I am dismissing the appeal on other grounds I have not considered this matter further.
27. The appellant raises concern over the quality of service provided by the Council during the consideration of the application, and considers that the Council changed their mind through the process. I have dealt with the appeal on its own merits; complaints over the Council's decision making process should, in the first instance, be made through the Authority's own complaints procedure.
28. I note that the proposal would provide a new dwelling, with economic and social benefits. However, these benefits would not outweigh the conflict with the development plan and the harm that the scheme would cause.

Conclusion

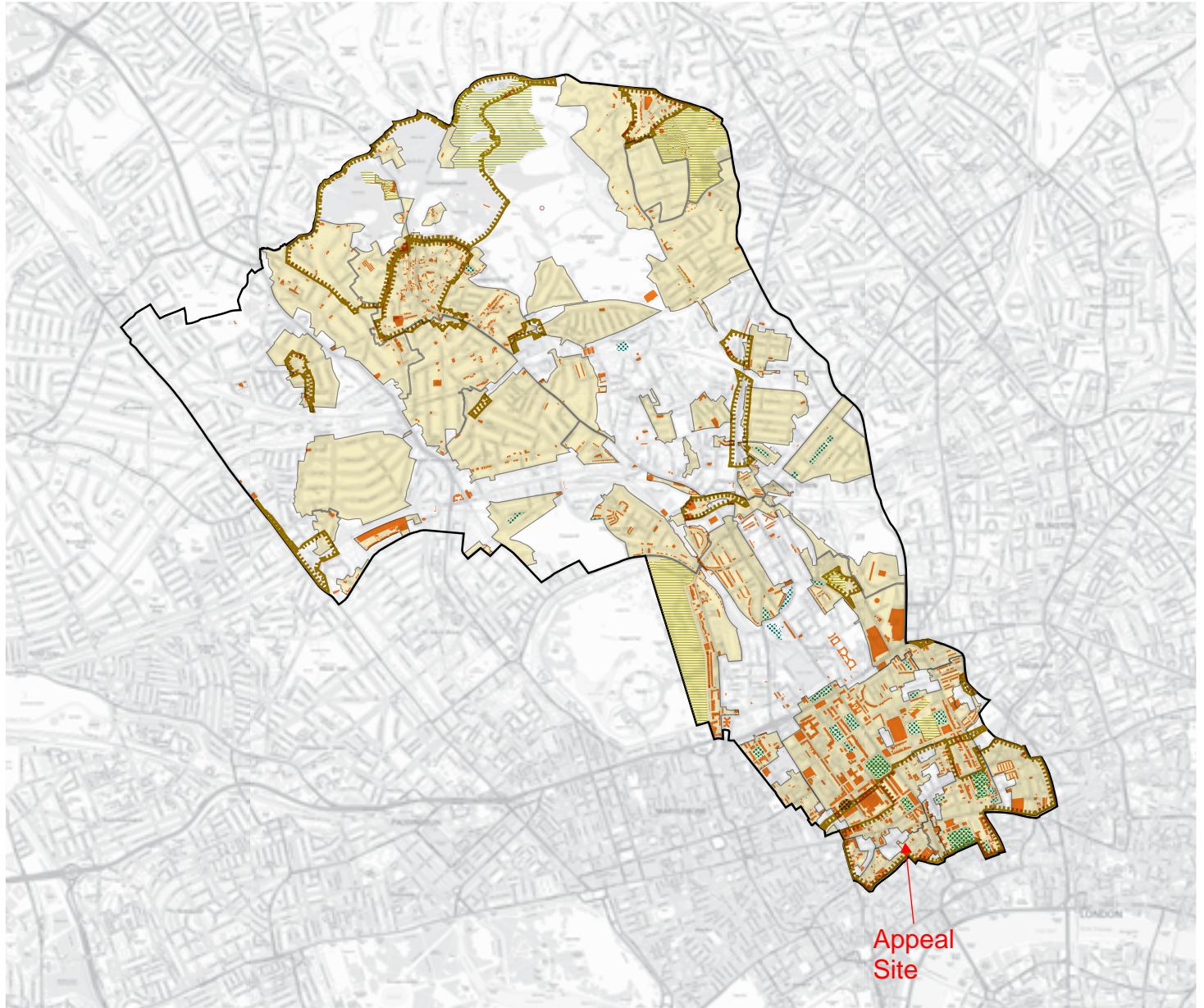
29. Whilst I have considered that the proposal would not realistically result in the loss of employment opportunities, I have concluded that the proposal would have an adverse effect on the character and appearance of the surrounding area, the living conditions of neighbouring occupiers on Ravenshaw Street with particular regard to outlook and would not provide satisfactory living conditions for the future occupiers of the property with regard to the provision of private amenity space.
30. Therefore for the reasons given above, and having regard to all other matters raised, I dismiss the appeal.

Jon Hockley

INSPECTOR

Appendix 4 Archaeological Priority Area

Map 4: Heritage and Archaeological Sites



- Conservation area
- Listed building
- Archaeological priority area
- London Squares
- Gardens and Squares of Historic Interest
- Borough boundary

Appendix 5 Draft Section 106 Agreement



Legal Services
Law and Governance
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

Date: 17 May 2017
Our Reference: CLS/C&E/OO51/1800.295
Enquiries to: Olga Obushenkova

Anthony Keen
Barham Court
Teston
Maidstone
ME18 5BZ

DX 161055 Kings Cross 4
Direct 020 7974 4125
Fax 020 7974
e-mail: olga.obushenkova@camden.gov.uk
www.camden.gov.uk

Dear Mr Keen

Re: 6 Stukeley Street: APP/X5210/W/17/3171930

As you are aware I act for the Council's planning department in relation to the s106 agreement (Agreement) on the above appeal.

As discussed with you over the call on 17 May 2017, in accordance with my instructions, I have prepared the attached draft Agreement which contains obligations to overcome certain reasons for refusal.

You advised me that your client would refuse to agree to any terms under the Agreement. However, the Council would still prefer for the Agreement to be considered by your client. Please note that the Agreement is being sent to you on a without prejudice to your client basis and agreeing the obligations by way of the Agreement would allow the parties to agree on certain issues prior to the determination by the Planning Inspectorate and could save time and expenses for both our clients.

Please note the following:

1. Completion Date

If agreed, the Agreement must be completed as soon as possible and in line with any PINS deadlines. Please note that the draft s106 agreement will be provided to the Planning Inspectorate, together with the Council's statement, before 31 May 2017 in any event.

2. Parties to the Agreement

All parties with an interest in the land are required to be a party to the Agreement so please check the draft to ensure all such parties have been referred to. If details change or new parties (e.g. mortgagees) are subsequently added to the title please let me know forthwith as failure to do this may prevent completion taking place prior to the deadline. Finally please ensure that arrangements are in place for all parties to sign the Agreement as soon as engrossments are sent to you.

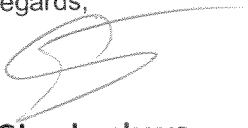
**Borough Solicitor
Andrew Maughan**

3. Legal fees and monitoring fees

Please note that your client will need to pay our costs in relation to this matter, whether or not the matter proceeds to completion. We anticipate the costs as being £3,950.70 made up of £2,261.31 as to our legal fees, a one off monitoring fee of £1,665.39 (being £555.13 per head of term), and £24 for Land Registry Charges. If negotiations become protracted and costs exceed the £2,261.31 fee we will charge on a £312.28 per hour basis until such time as the matter is completed. I will provide you with an invoice when I send you the engrossment copies of the Agreement for signature, but in the meantime, I should be grateful to receive your undertaking that those costs will be met. I attach our standard undertaking which is to be completed and returned to me.

I look forward to receiving any comments you may have, or your approval of the draft, so that I can issue engrossment copies for signature. Please provide your response by **2 June 2017** (preferably by email to save time).

Kind Regards,



Olga Obushenkova
Legal Adviser
For the Borough Solicitor

DATED

2017

(1) DEREK SAVAGE

and

(2) HSBC BANK PLC

and

**(3) THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF CAMDEN**

A G R E E M E N T
relating to land known as
6 STUKELEY STREET, LONDON WC2B 5LQ
pursuant to Section 106 of the Town and Country Planning
Act 1990 (as amended)

Andrew Maughan
Borough Solicitor
London Borough of Camden
Town Hall
Judd Street
London WC1H 9LP

Tel: 020 7974 1918
Fax: 020 7974 2962

CLS/COM/OO.1800.295

v1

THIS AGREEMENT is made the _____ day of _____ 2017

B E T W E E N:

1. **DEREK SAVAGE** of 11-15 Betterton Street, London WC2H 9BP (hereinafter called "the Owner") of the first part;
2. **HSBC BANK PLC** of (Co. Regn. No. 14259) 40-54-47 of Securities Processing Centre, P.O. Box 6304, Coventry CV3 9JY (hereinafter called "the Mortgagee") of the second part; and
3. **THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (hereinafter called "the Council") of the third part.

1. **WHEREAS**

- 1.1 The Owner is registered at the Land Registry as the freehold proprietor with Title absolute of the Property under Title Number NGL148678 subject to a charge to the Mortgagee.
- 1.2 The Owner is the freehold owner of and is interested in the Property for the purposes of Section 106 of the Act.
- 1.3 A Planning Application for the development of the Property was submitted to the Council and validated on 8 April 2016 and the Council resolved to grant permission conditionally under reference number 2016/1445/P subject to the conclusion of this legal Agreement.
- 1.4 The Council is the local planning authority for the purposes of the Act for the area in which the Property is situated and considers it expedient in the interests of the proper planning of its area that the development of the Property should be restricted or regulated in accordance with this Agreement.

- 1.5 For that purpose the Owner is willing to enter into this Agreement pursuant to the provisions of Section 106 of the Act.
- 1.6 The Mortgagee as mortgagee under a legal charge registered under Title Number NGL148678 and dated 30 March 2007 is willing to enter into this Agreement to give its consent to the same.

2. **DEFINITIONS**

In this Agreement the following expressions (arranged in alphabetical order) shall unless the context otherwise requires have the following meanings:-

- 2.1 "the Act" the Town and Country Planning Act 1990 (as amended)
- 2.2 "the Agreement" this Planning Obligation made pursuant to Section 106 of the Act
- 2.3 "the Basement Approval in Principle Application" an application to the Council's Highways Structural team for an approval in principle of the construction of the basement (forming part of the Development) which is to be assessed by the Council with a view to ensuring that sufficient loadings are maintained at all times at the interaction of the Development site and the Public Highway so as to ensure that the Public Highway is not compromised at any time during the Construction Phase or thereafter
- 2.4 "the Basement Approval in Principle Contribution" the sum of £1,800 (one thousand eight hundred pounds) to be applied by the Council in event of receipt towards the assessment by the Council's Highways Structural team of the Basement Approval in Principle Application

- 2.5 "the Certificate of Practical Completion" the certificate issued by the Owner's contractor architect or project manager certifying that the Development has been completed
- 2.6 "Construction Management Plan" a plan setting out the measures that the Owner will adopt in undertaking the demolition of the existing buildings and the construction of the Development using good site practices in accordance with the Council's Considerate Contractor Manual and in the form of the Council's Pro Forma Construction Management Plan as set out in the First Schedule hereto to ensure the Construction Phase of the Development can be carried out safely and with minimal possible impact on and disturbance to the surrounding environment and highway network including (but not limited to):-
- (i) a statement to be submitted to Council giving details of the environmental protection highways safety and community liaison measures proposed to be adopted by the Owner in order to mitigate and offset potential or likely effects and impacts arising from the demolition of the Existing Buildings or structures on the Property and the building out of the Development;
 - (ii) proposals to ensure there are no adverse effects on the conservation area features:

- (iii) amelioration and monitoring effects on the health and amenity of local residences site construction workers local businesses and adjoining developments undergoing construction;
- (iv) amelioration and monitoring measures over construction traffic including procedures for notifying the owners and or occupiers of the residences and businesses in the locality in advance of major operations delivery schedules and amendments to normal traffic arrangements (if any);
- (v) the inclusion of a waste management strategy for handling and disposing of construction waste; and
- (vi) identifying means of ensuring the provision of information to the Council and provision of a mechanism for monitoring and reviewing as required from time to time

2.7 “the Construction Management Plan Implementation Support Contribution”

the sum of £1,140 (one thousand one hundred and forty pounds pounds) to be paid by the Owner to the Council in accordance with the terms of this Agreement and to be applied by the Council in the event of receipt for the review and approval of the draft Construction Management Plan and verification of the proper operation of the approved Construction

Management Plan during the Construction Phase

2.8 "the Construction Phase"

the whole period between

- (i) the Implementation Date and
- (ii) the date of issue of the Certificate of Practical Completion

and for the avoidance of doubt includes the demolition of the existing buildings

2.9 "the Council's Considerate Contractor Manual"

the document produced by the Council from time to time entitled "Guide for Contractors Working in Camden" relating to the good practice for developers engaged in building activities in the London Borough of Camden

2.10 "the Development"

demolition of an existing single storey house and erection of two four storey, 2 x bedroom dwelling houses including basement excavation as shown on drawing numbers:- Design & Access statement, Heritage statement (Ref 841/2015 Rev A), Planning Statement, Daylight/sunlight Assessment (sep 2015), Basement Impact Assessment by Croft Structural Engineers (150912), BIA Hydrogeology and Land Stability Report by Maund Geo-consulting dated 21st January 2016, Ground Investigation Report - Preliminary Summary by Ground & Water Ltd, Factual Ground Investigation Report by Ground & Water Ltd, GWPR1437 Fig 7, GWPR1437 Fig 6, GWPR1437, GWPR1437/BH, GWPR1437 Fig

1, GWPR1437 preliminary summary, Heritage Statement, 841/L01, JDD/SS-E3, JDD/SS-E4, JDD/SS-E1, JDD/SS-E2, M-PL-01, 841/200 Rev A, 841/201 Rev A, 841/202 Rev A, 841/203, Rev A 841/204 Rev A, 841/205 Rev A & 841/206 Rev A

- 2.11 "the Implementation Date" the date of implementation of the Development by the carrying out of a material operation as defined in Section 56 of the Act and references to "Implementation" and "Implement" shall be construed accordingly
- 2.12 "Occupation Date" the date when any part of the Development is occupied and the phrases "Occupy", "Occupied" and "Occupation" shall be construed accordingly
- 2.13 "the Parties" mean the Council, the Owner and the Mortgagee
- 2.14 "the Planning Application" a planning application in respect of the development of the Property submitted to the Council and validated on 8 April 2016 for which a resolution to grant permission has been passed conditionally under reference number 2016/1445/P subject to conclusion of this Agreement
- 2.15 "Planning Obligations Monitoring Officer" a planning officer of the Council from time to time allocated to deal with all planning obligations pursuant to S106 of the Act to whom all notices, correspondence, approvals etc must be sent in the manner prescribed at clause 6.1 hereof

- 2.16 "the Planning Permission" a planning permission granted for the Development substantially in the draft form annexed hereto
- 2.17 "the Property" the land known as 6 Stukeley Street, London WC2B 5LQ the same as shown shaded grey on the plan annexed hereto
- 2.18 "Residents Parking Bay" a parking place designated by the Council by an order under the Road Traffic Regulation Act 1984 or other relevant legislation for use by residents of the locality in which the Development is situated
- 2.19 "Residents Parking Permit" a parking permit issued by the Council under section 45(2) of the Road Traffic Regulation Act 1984 allowing a vehicle to park in Residents Parking Bays

NOW THIS DEED WITNESSETH as follows:-

- 3.1 This Agreement is made in pursuance of Section 106 of the Act, and is a planning obligation for the purposes of Section 106 as aforesaid, and shall be enforceable by the Council against the Owner as provided herein and against any person deriving title to any part of the Property from the Owner and insofar as it is not a planning obligation its provisions may be enforceable by the Council under any relevant statutory powers.
- 3.2 Words importing the singular shall include the plural and vice versa and any words denoting actual persons shall include companies corporations and other artificial persons.
- 3.3 Any reference to a specific statute or statutes include any statutory extension or modification amendment or re-enactment of such statute and any regulation or orders made under such statute.

- 3.4 The clause and paragraph headings do not form part of this Agreement and shall not be taken into account in its construction or interpretation.
- 3.5 It is hereby agreed between the Parties that save for the provisions of clauses 1, 2, 3, 5, 6, 7, 8 and 9 hereof all of which shall come into effect on the date hereof the covenants undertakings and obligations contained within this Agreement shall become binding upon the Owner upon the Implementation Date.
- 3.6 The Council hereby agrees to grant the Planning Permission on the date hereof.
- 3.7 The Parties save where the context states otherwise shall include their successors in title.
- 3.8 The Parties acknowledge that the Development shall be treated as being permanently designated as "car free" housing in accordance with Clause 4.2.1 and 4.2.2 for all relevant purposes.

4. **OBLIGATIONS OF THE OWNER**

The Owner hereby covenants with the Council as follows:-

4.1 **BASEMENT APPROVAL IN PRINCIPLE**

4.1.1 On or prior to the Implementation Date to:-

- (a) submit the Basement Approval in Principle Application; and
- (b) pay to the Council the Basement Approval in Principle Contribution.

4.1.2 Not to Implement or permit Implementation of any part of the Development until such time as:

- (c) the Council has approved the Basement Approval in Principle Application as demonstrated by written notice to that effect; and
- (d) the Council has received the Basement Approval in Principle Application Contribution in full.

4.2 **CAR FREE**

4.2.1 To ensure that prior to occupying any residential unit (being part of the Development) each new occupier of the Development is informed by the Owner of the Council's policy that they shall not be entitled (unless they are the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970) to:

- (i) be granted a Residents Parking Permit to park a vehicle in a Residents Parking Bay; and
- (ii) buy a contract to park within any car park owned, controlled or licensed by the Council.

4.2.2 Not to occupy or use (or permit the occupation or use of) any residential unit (being part of the Development) at any time during which the occupier of the residential unit holds a Residents Parking Permit to park a vehicle in a Residents Parking Bay or is permitted to park a vehicle in any car park owned, controlled or licensed by the Council unless the occupier is the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970).

4.2.3 The Owner for itself and its successors in title to the Property hereby acknowledges that the provisions in Clauses 4.2.1 and 4.2.2 in this Agreement shall continue to have effect in perpetuity.

4.2.4 On or prior to the Occupation Date the Owner shall inform the Council's Planning Obligations Monitoring Officer of the official unit numbers of the residential units forming part of the Development (as issued and agreed by the Council's Street Name and Numbering Department), identifying those residential units that in the Owner's opinion are affected by the Owner's obligation in Clause 4.2.1 and 4.2.2 of this Agreement.

4.3 **CONSTRUCTION MANAGEMENT PLAN**

4.3.1 On or prior to the Implementation Date to:

- (i) pay to the Council the Construction Management Plan Implementation Support Contribution in full; and

(ii) submit to the Council for approval a draft Construction Management Plan.

4.3.2 Not to Implement nor allow Implementation of the Development until such time as the Council has:

(i) received the Construction Management Plan Implementation Support Contribution in full; and

(ii) approved the Construction Management Plan as demonstrated by written notice to that effect.

4.3.3 The Owner acknowledges and agrees that the Council will not approve the Construction Management Plan unless it demonstrates to the Council's reasonable satisfaction that the Construction Phase of the Development can be carried out safely and with minimal possible impact on and disturbance to the surrounding environment and highway network.

4.3.4 To ensure that throughout the Construction Phase the Development shall not be carried out otherwise than in strict accordance with the requirements of the Construction Management Plan and not to permit the carrying out of any works comprised in demolition or building out the Development at any time when the requirements of the Construction Management Plan are not being complied with and in the event of non-compliance with this sub-clause the Owner shall forthwith take any steps required to remedy such non-compliance.

5. **NOTICE TO THE COUNCIL/OTHER MATTERS**

5.1 The Owner shall give written notice to the Council on or prior to the Implementation Date specifying that Implementation of the Development has taken or is about to take place.

5.2 Within seven days following completion of the Development the Owner shall certify in writing to the Planning Obligations Monitoring Officer in the manner outlined at clause 6.1 hereof quoting planning reference 2016/1445/P the date upon which the Development will be ready for Occupation.

5.3 The Owner shall act in good faith and shall co-operate with the Council to facilitate the discharge and performance of all obligations contained herein and the Owner

shall comply with any reasonable requests of the Council to have access to any part of the Property or any requests to provide documentation within the Owner's possession (at the Owner's expense) for the purposes of monitoring compliance with the obligations contained herein.

- 5.4 The Owner agrees declares and covenants with the Council that it shall observe and perform the conditions restrictions and other matters mentioned herein and shall not make any claim for compensation in respect of any condition restriction or provision imposed by this Agreement and further shall jointly and severally indemnify the Council for any expenses or liability arising to the Council in respect of breach by the Owner of any obligations contained herein save to the extent that any act or omission of the Council its employees or agents has caused or contributed to such expenses or liability.
- 5.5 If satisfied as to the compliance of the Owner in respect of any obligation in this Agreement the Council shall (if requested to do so in writing and subject to payment of a fee of £1,000 in respect of each such obligation) provide through its Head of Legal Services a formal written certification of compliance, partial compliance or ongoing compliance (as and if appropriate) with the provisions of any such obligation.
- 5.6 Submission of any plan for approval by the Council under the terms of this Agreement shall be made by the Owner to the Council sending the full document and any appendices in electronic format (where practicable) to the Planning Obligations Monitoring Officer referring to the names dates and Parties to this Agreement and citing the specific clause of this Agreement to which such plan relates quoting the Planning Permission reference 2016/1445/P.
- 5.7 Payment of the Basement Approval in Principle Contribution and Construction Management Plan Implementation Support Contribution pursuant to Clauses 4.1 and 4.2 respectively of this Agreement shall be made by the Owner to the Council sending the full amount via electronic transfer (where practicable). The Owner shall notify the Planning Obligations Monitoring Officer that payment has been made referring to names date and Parties to this Agreement and citing the specific clause of this Agreement to which such contribution relates quoting the planning reference 2016/1445/P. Electronic Transfer be made directly to the National Westminster Bank

of Hampstead Village quoting Sort Code 50-30-03 and London Borough of Camden General Account no. 24299480.

- 5.8 All consideration given in accordance with the terms of this Agreement shall be exclusive of any value added tax properly payable in respect thereof and all parties other than the Council shall pay and indemnify the Council against any such value added tax properly payable on any sums paid to the Council under this Agreement upon presentation of an appropriate value added tax invoice addressed to the Owner.
- 5.9 Any sums referred to in this Agreement as payable or to be applied by any party other than the Council under this Agreement shall be paid or applied TOGETHER WITH if such payment or application is made more than three months from the date of this Agreement a further sum ("A") being equal to the original sum payable ("B") multiplied by a figure being a fraction of which the All Items of Retail Prices ("the AllRP") figure last published by the Central Statistical Office at the date hereof is the denominator ("X") and the last AllRP figure published before the date such payment or application is made ("Y") less the last published AllRP figure at the date hereof ("X") is the numerator so that

$$A = B \times \frac{(Y-X)}{X}$$

- 5.10 All costs and expenses payable to the Council under this Agreement shall bear interest at the rate of 4% above the Base Rate of the National Westminster Bank plc from time to time being charged from the date such payment is due until payment is made.

6. **IT IS HEREBY AGREED AND DECLARED** by the Parties hereto that:-

- 6.1 The provisions of Section 196 of the Law of Property Act 1925 (as amended) shall apply to any notice or approval or agreement to be served under or in connection with this Agreement and any such notice or approval shall be in writing and shall specifically refer to the name, date and Parties to the Agreement and shall cite the clause of the Agreement to which it relates and in the case of notice to the Council shall be addressed to the London Borough of Camden, Planning Obligations Officer,

Placeshaping Service, Urban Design and Development Team, 2nd Floor, 5 Pancras Square, London, N1C 4AG quoting the planning reference number 2016/1445/P and in the case of any notice or approval or agreement from the Council this shall be signed by a representative of the Council's Environment Department.

- 6.2 This Agreement shall be registered as a Local Land Charge.
- 6.3 The Owner agrees to pay the Council its proper and reasonable legal costs incurred in preparing this Agreement on or prior to the date of completion of the Agreement.
- 6.4 The Owner hereby covenants with the Council that it will within 28 days from the date hereof apply to the Chief Land Registrar of the Land Registry to register this Agreement in the Charges Register of the title to the Property and will furnish the Council forthwith with official copies of such title to show the entry of this Agreement in the Charges Register of the title to the Property.
- 6.5 Nothing contained or implied in this Agreement shall prejudice or affect the Council's powers to enforce any specific obligation term or condition nor shall anything contained or implied herein prejudice or affect any provisions, rights, powers, duties and obligations of the Council in the exercise of its functions as Local Planning Authority for the purposes of the Act or as a local authority generally and its rights, powers, duties and obligations under all public and private statutes, bye laws and regulations may be as fully and effectually exercised as if the Council were not a party to this Agreement.
- 6.6 Neither the Owner or the Mortgagee nor their successors in title nor any person deriving title from them shall be bound by the obligations in this Agreement in respect of any period during which it no longer has an interest in the Property but without prejudice to liability for any breach committed prior to the time it disposed of its interest.
- 6.7 For the avoidance of doubt the provisions of this Agreement (other than those contained in this sub-clause) shall not have any effect until this Agreement has been dated.

6.8 If the Planning Permission is quashed or revoked or otherwise withdrawn or expires before effluxion of time for the commencement of Development this Agreement shall forthwith determine and cease to have effect.

7. **MORTGAGEE EXEMPTION**

7.1 The Mortgagee hereby consents to the completion of this Agreement and agrees to be bound by it and to the same being registered at the Land Registry as provided in Clause 6.4 hereof and for the avoidance of doubt agrees to be bound by the said obligations only in the event that it becomes a mortgagee in possession of the Property.

7.2 The Parties agree that the obligations contained in this Agreement shall not be enforceable against any mortgagee or chargee of the whole or any part of the Property unless it takes possession of the Property in which case it will be bound by the obligations as a person deriving title from the Owner.

8. **JOINT AND SEVERAL LIABILITY**

8.1 All Covenants made by the Owner(s) and the Mortgagee in this Agreement are made jointly and severally and shall be enforceable as such.

9. **RIGHTS OF THIRD PARTIES**

9.1 The Contracts (Rights of Third Parties) Act 1999 shall not apply to this Agreement

IN WITNESS whereof the Council has caused its Common Seal to be hereunto affixed and the Owner and the Mortgagee have executed this instrument as their Deed the day and year first before written

EXECUTED AS A DEED BY)
DEREK SAVAGE)
in the presence of:)

.....
Witness Signature

Witness Name:

Address:

Occupation:

DRAFT

EXECUTED AS A DEED BY)
HSBC BANK PLC)
By)
in the presence of:-)

.....

CONTINUATION OF SECTION 106 AGREEMENT IN RELATION TO 6 STUKELEY STREET,
LONDON WC2B 5LQ

THE COMMON SEAL OF THE MAYOR)
AND BURGESSES OF THE LONDON)
BOROUGH OF CAMDEN was hereunto)
Affixed by Order:-)

.....

Authorised Signatory

DRAFT

THE FIRST SCHEDULE
Pro Forma
Construction Management Plan

The Council has produced a pro-forma Construction Management Plan that can be used to prepare and submit a Construction Management Plan to meet technical highway and environmental health requirements. This document should be prepared, submitted and receive approval from the Council well in advance of works starting.

The pro-forma Construction Management Plan can be found on the Council's website at:-

<https://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/planning-obligations-section-106/>

Please use the Minimum Requirements (also available at the link above) as guidance for what is required in the CMP and then download the Construction Management Plan

It should be noted that any agreed Construction Management Plan does not prejudice further agreement that may be required for things such as road closures or hoarding licences