

LONDON BOROUGH OF CAMDEN	
PLANNING	
CONSERVATION AND URBAN DESIGN	
Proposed Development at 159, 161, 163 and 165 Camden High Street, London NW1 7JY	
Proposal: Demolition of existing buildings and the redevelopment of the site through the erection of a five-storey plus basement level building with retail (Class A1) at basement and ground floor levels and 14 self-contained flats above (Class C3) with associated Conservation Area Consent application (Ref. 2005/0777/C)	Case No: 2006/0776/P 2005/4266/P 2006/0777/C
Case officer: Thomas Smith	Date: 14/03/06

Conservation Area	
Listed Building	
Adjoining Listed Building	
TPO	
Local Design Policy	

OBSERVATIONS:

Proposal

The following observations have been prepared for the proposed demolition of existing buildings and the redevelopment of the site through the erection of a five-storey plus basement level building, with retail (Class A1) at basement and ground floor levels and 14 self-contained flats above (Class C3) with associated Conservation Area Consent application (Ref. 2005/0777/C), at No.s 159, 161, 163 and 165 Camden High Street, London NW1.

The site is within the Camden Town Conservation Area. The existing buildings are not listed and do not adjoin any listed buildings. Nor are they noted as buildings making a positive contribution.

The existing buildings (No.s 159 & 163 -165) appear post war and very utilitarian. No. 161 is earlier, but much altered in the C20th. On this basis, demolition and redevelopment are not opposed in principle.

History

Refer original C&UD obs dated 29/11/06 with respect to application 2005/4266/P and 2005/4267/C. This application was subsequently withdrawn on the basis of the concerns raised with respect to the proposed design. The current scheme has been revised in response to these comments. The following obs are in response to these revisions.

Observations

The replacement scheme has been assessed against relevant UDP principles, namely, EN1 – General Environmental Protection and Improvement, EN 13 – Design of New Development, EN 16 – Site Layout, EN 18 – Design of Infill Development, EN 31 – Character and Appearance of Conservation Areas and EN 32 – Demolition of Unlisted Buildings in Conservation Areas.

Policy B1 of the Revised Deposit Draft as amended by the Proposed Modifications agreed by the Council's Executive on 11th January 2006 has also been considered in the assessment of this application.

The eastern side of Camden High Street (opposite the site) is characterised by typically consistent building lines, first floor setbacks, parapet lines and building heights. Whilst it is acknowledged that there are some variations in building height on this side of Camden High Street, there are fairly consistent groupings of buildings of similar heights.

Whilst the western side of Camden High Street, is not as consistent with regards to the aforementioned characteristics, the overall area is, nonetheless typified by narrow plot widths, sheer frontages, appropriately scaled ground floor openings, a strong sense of verticality and a generally limited materials palette, comprising mainly of red or stock brick, with some rendered facades.

The Camden Town Conservation Area Statement (section 4.15) states that, "the typology of the original buildings continues to underlie the character of both Camden High Street and Parkway, even though alterations and extensions have introduced, over time, some diversity to the original homogeneity of design".

Whilst the Camden Town Conservation Area Statement acknowledges that "at the northern end of Camden High Street, on the west side of the street, between Parkway and Delancy Street, the character is rather varied with some two storey buildings introducing an interesting variation to the general scale of the CA. There is no consistency in their appearance and their value resides in their appearance rather than any architectural merit".

Whilst it is acknowledged that the current scheme has made some key changes, particularly with respect to reducing the number of competing planes on the front elevation, including the omission of the overhang, on Camden High Street, there are still a number of outstanding design issues, each of which are detailed below.

- It is considered that clearer definition is required, across the front elevation, to better delineate between land uses, (ie. retail verses resi above), so as to reduce the over glazed ground floor, which still predominates. More particularly, there is a need for a stronger degree of delineation introduced at the parapet/facia level of the shopfronts addressing Camden High Street;

- On the upper floors of the front elevation, it is considered that the proportions of the narrowest windows proposed, need to be slightly widened, to better balance the overall scale of the front elevation. Similarly, all windows proposed for this elevation will need to be further recessed (ie. minimum of 10 cms - preferably somewhat greater), to add a subtly degree of depth to this elevation;
- Whilst a revision of the materials palette is welcomed, it is considered that the predominance of white render is not indicative of the High Street character and thus not appropriate to the local context. Similarly, officers are not satisfied that this choice of facing material will weather well, especially given the high levels of pollution in this location and as such would soon compromise the appearance of the building, particularly given the prominent location on the High Street. A more durable material is therefore required, red or stock brick being an obvious choice, given the context;
- It is considered that the central 'spine' of the front elevation could benefit from a differentiation of materials, such as the use of glazed tiles. In relation to the two facade components flanking it, it is considered, that as an overall composition, a greater degree of definition is required – that the facade as a whole, either be completely flat, rising sheer, as one plane or that more of a recess is introduced, between the three elements, but obviously not as much as was advocated in the original scheme – strike a better balance, respective of context;
- The enclosed balcony feature, proposed at third level, central to the front facade, is considered to be a token feature and again, not indicative of the High Street character. The frame, including the glazed panel balustrade, delineating this balcony feature, is considered too weak and would require revision, before it could be deemed acceptable;
- A more decent termination at parapet level is necessary. It is considered that the proposed roof profile at the third level, is visually weak and needs to be strengthened;
- It is considered that the fourth floor has not been recessed enough (currently setback by a minimum of 1.5 metres and a maximum of 3.3 metres – the latter of which, is effectively negated by a roof overhang) and as such is not subordinate to the overall building mass. In streetscape terms, it is considered that it renders the proposal too tall/bulky and as such would require that this upper floor be further setback;
- It is considered that the detailing of the proposed side and rear elevations is acceptable.

Recommendation

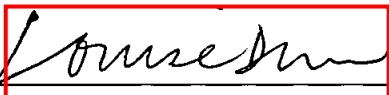
In considering applications for Conservation Area consent and planning permission, the proposal should demonstrate that it will be of more or equal

benefit to the special character and appearance of the conservation area, than the existing building.

A high quality, contemporary replacement scheme, on this site, is acceptable in principle. However, it is considered that the elevational design proposed, in its current form, is not an appropriate response to the redevelopment potential of this site and would not preserve or enhance the character and appearance of the conservation area.

Once revisions have been received and are deemed acceptable, a positive recommendation could be made, at that time. I am therefore unable to recommend this proposal for approval on the basis of the current scheme, but would be pleased to assess a revised scheme, that addresses the issues I have raised.

Negotiate	Y
Approve	
Refuse	

Signed  Date 14/03/06
Louise Drum



14/3/06

16/5

Address:	159 161 163 and 165 Camden High Street London NW1 7JY	
Application Number:	2006/0776/P	Officer: Thomas Smith
Ward:	Camden Town with Primrose Hill	
Date Received:	14/02/2006	
Proposal: Demolition of existing 3 and 4 storey buildings and the redevelopment of the site through the erection of a five-storey plus basement level building, with retail (Class A1) at basement and ground floor levels, and 14 self-contained flats above (Class C3)		
Drawing Numbers: Location Plan; P02; P03; P04; P05; P06; P07; P08; P09A; P10A; P20A; P21A; P22A; P23A; P24A; P25A; P26A; P27A; P28A; P29A; P30A		
RECOMMENDATION SUMMARY: Grant planning permission subject to conditions and a Section 106 Legal Agreement.		
Related Application Number:	2006/0777/C	
Proposal: Demolition of existing part three part four-storey group of four buildings.		
Drawing Numbers: Location Plan; P02; 03; 04; 05; 06; 07; 08		
RECOMMENDATION SUMMARY: Grant Conservation Area Consent		
Applicant: S Patel c/o agent	Agent: Neale & Norden Ltd 34 Osnaburgh Street London NW1 3ND	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	A1 Shop		582m ²
	B1a Business – Office		705m ²
			Total 1287m ²
Proposed	A1 Shop		715m ²
	C3 Dwelling House		960 m ²
			Total 1675m ² Increase of 388m ²

Residential Use Details:										
	Residential Type	No. of Habitable Rooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	Flat/Maisonette									
Proposed	Flat/Maisonette		2	11	1					

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0	0

OFFICERS' REPORT

Reason for Referral to Committee:

1. SITE

- 1.1 This application relates to part 3 / part 4-storey group of 3 buildings located on the western side of Camden High Street on the junction with Underhill Passage to south. The properties are in retail (Class A1) use at ground floor level with offices (Class B1) above.
- 1.2 The site is located within a major shopping centre, the Camden Town Conservation Area and is on a strategic (GLA) road.
- 1.3 The eastern side of Camden High Street (opposite the site) is characterised by typically consistent building lines, first floor setbacks, parapet lines and building heights. Whilst it is acknowledged that there are some variations in building height on this side of Camden High Street, there are fairly consistent groupings of buildings of similar heights.
- 1.4 Whilst the western side of Camden High Street is not as consistent with regards to the aforementioned characteristics, the overall area is nonetheless typified by narrow plot widths, sheer frontages, appropriately scaled ground floor openings, a strong sense of verticality and a generally limited materials palette, comprising mainly of red or stock brick, with some rendered facades.
- 1.5 The Camden Town Conservation Area Statement (section 4.15) states that, "the typology of the original buildings continues to underlie the character of both Camden High Street and Parkway even though alterations and extensions have introduced, over time, some diversity to the original homogeneity of design".
- 1.6 Whilst the Camden Town Conservation Area Statement acknowledges that "at the northern end of Camden High Street on the west side of the street, between Parkway and Delancy Street, the character is rather varied with some two storey

buildings introducing an interesting variation to the general scale of the CA. There is no consistency in their appearance and their value resides in their appearance rather than any architectural merit”.

2. THE PROPOSAL

Original

- 2.1 The application proposes to demolish the existing building and redevelop the site with a five-storey plus basement level building with the top level set back from the main elevation to form an ‘attic’ storey.
- 2.2 The ground floor and basement levels would be used as a retail unit (Class A1) and the upper floors would comprise 14 flats (Class C3). The residential mix would be 2 x 1-bed, 10 x 2-bed and 2 x 3-bed units.
- 2.3 The Camden High Street elevation would be rendered with a central vertical ‘spine’ which would be recessed and clad in red corten steel panels.
- 2.4 The ‘attic’ storey would be steel framed with a large proportion of glazing and would be set back from the main elevation by 1.5m and 3.3m and would be set in from the main side elevations by 2m to reduce its prominence.
- 2.5 Access to the retail unit would be from Camden High Street while the residential units, cycle storage area and refuse area would all be accessed from Underhill Passage.

Revisions

- 2.6 Following officers advice, a number of amendments have been made to the Camden High Street elevation including setting the central ‘spine’ of the building back and using brick rather than render for this element to give the overall composition a more vertical emphasis.
- 2.7 Coping has been added to strengthen the definition of the parapet and the framing of the ‘attic’ storey has been reduced in thickness to reduce the prominence of this element.
- 2.8 Amendments to the shopfronts include the introduction of stallrisers, thicker framing and a reduction in the depth of the fascias to improve the proportions and overall appearance of this unit.

3. RELEVANT HISTORY

- 3.1 Planning application 2005/4266/P and associated conservation area consent application 2005/4267/C for a similar scheme were withdrawn in January 2006 following concerns raised by officers about the proposed design. This scheme included a variety of projections, overhangs and set back elements and was not considered to be appropriate for its context. The current proposal seeks to overcome these concerns.

4. CONSULTATIONS

Statutory Consultees

- 4.1 The Police Crime Prevention Design Advisor has raised concerns about the communal entrance to the residential dwellings being located in Underhill Passage. This area of Camden Town is the hottest spot for crime in the Borough and the proposed configuration could potentially increase the chance of criminal victimisation for future residents and visitors. He has requested that the proposal be amended so that the residential entrance fronts Camden High Street. *Response: See paras 6.15-6.16*

Conservation Area Advisory Committee

- 4.2 Camden Town CAAC have objected to the proposal with their main concern being that the existing four-plot width has been turned into a three-plot width resulting in a horizontal emphasis which is discordant with the essentially vertical high street. Concerns are also raised about the 'flat' design of the elevations and that the roofscape lacks interest. *Response: See paras 6.9-6.14*

Adjoining Occupiers

<i>Number of Letters Sent</i>	<i>32</i>
<i>Number of responses Received</i>	<i>0</i>
<i>Number in Support</i>	<i>0</i>
<i>Number of Objections</i>	<i>0</i>

5. POLICIES

- 5.1 Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

Camden Unitary Development Plan 2000

RE2 Residential amenity and environment	<i>Complies</i>
RE6 Planning obligations	<i>Complies</i>
EN1 General environmental protection and improvement	<i>Complies</i>
EN13 Design of new development	<i>Complies</i>
EN14 Setting of new development	<i>Complies</i>
EN15 Landscaping	<i>Complies</i>
EN19 Amenity for occupiers and neighbours	<i>Complies</i>
EN20 Community safety	<i>Complies</i>
EN28 Shopfronts	<i>Complies</i>
EN31 Character and appearance of conservation areas	<i>Complies</i>
EN32 Demolition of unlisted buildings in conservation areas	<i>Complies</i>

EN53	Provision of public open space in new developments	<i>Complies</i>
TR11	On-street parking controls	<i>Complies</i>
TR16	Car-free housing developments	<i>Complies</i>
TR17	Residential parking standards	<i>Complies</i>
TR18	Parking at residential conversions	<i>Complies</i>
TR19	Road safety	<i>Complies</i>
TR20	Traffic management	<i>Complies</i>
TR21	Pedestrians	<i>Complies</i>
TR22	Cycling	<i>Complies</i>
HG8	Increasing the amount of residential accommodation	<i>Complies</i>
HG11	Affordable housing (Alt. No.2)	<i>Complies</i>
HG12	Visual privacy and overlooking	<i>Complies</i>
HG13	Provision of amenity space	<i>Complies</i>
HG14	Mobility and wheelchair housing	<i>Complies</i>
HG16	Housing mix in schemes for new residential development	<i>Complies</i>
EC3	Retention of employment uses	<i>Complies</i>
SH3	Location of new provision	<i>Complies</i>
SH4	Major centres	<i>Complies</i>
SH7	Primary shopping frontages in major and district centres	<i>Complies</i>
DS5	Visual privacy and overlooking standards	<i>Complies</i>
DS10	Cycle parking standards	<i>Complies</i>

Replacement Unitary Development Plan Revised Deposit Draft 2004

SD2	Planning obligations	<i>Complies</i>
SD6	Amenity for occupiers and neighbours	<i>Complies</i>
SD9	Resources and energy	<i>Complies</i>
H1	New housing	<i>Complies</i>
H2	Affordable housing	<i>Complies</i>
H7	Lifetime homes and wheelchair housing	<i>Complies</i>
H8	Mix of units	<i>Complies</i>
B1	General design principles	<i>Complies</i>
B7	Conservation areas	<i>Complies</i>
N4	Providing public open space	<i>Complies</i>
E2	Retention of business uses	<i>Complies</i>
R1	Location of new retail and entertainment uses	<i>Complies</i>
R7	Protection of shopping frontages and local shops	<i>Complies</i>
R8	Upper floors and shopfronts	<i>Complies</i>
Nnew	Biodiversity	<i>Complies</i>
T3	Pedestrians and cycling	<i>Complies</i>
T7	Off-street parking, city car clubs and city bike schemes	<i>Complies</i>
T8	Car free housing and car capped housing	<i>Complies</i>
T9	Impact of parking	<i>Complies</i>
T12	Works affecting highways	<i>Complies</i>

Supplementary Planning Guidance: Development 2002

2.3	Internal arrangements	<i>Complies</i>
3.10	Works to public highways	<i>Complies</i>

Draft Supplementary Planning Document: Provision of public open space

6. ASSESSMENT

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

- Principle of use
- Affordable housing
- Mix of units
- Demolition of the existing building
- Design
- Community Safety
- Residential amenity
- Transport
- Disabled access
- Open space
- Energy
- Biodiversity
- Education

Principle of use

- 6.2 The existing office space is not suitable for flexible use as there is no potential for off-road loading, access is awkward, there are no lifts, and the floors are subdivided into small spaces. There is an oversupply of Class B1 office space in Camden Town and its loss would not be contrary to adopted policy EC3 or emerging policy E2.
- 6.3 Adopted policies SH3 and SH4 and emerging policy R1 support the expansion of the retail space in major centres and therefore the proposed increase in retail (Class A1) floorspace at ground and basement levels is appropriate.
- 6.4 Emerging policy R8 supports residential uses in town centres above ground floor level. Housing is the priority use within the adopted and emerging UDPs and the proposed residential use on the upper floors is therefore welcomed.

Affordable housing

- 6.5 This scheme involves 14 dwellings in much less than 1,500 sq m which is below the affordable housing thresholds. The division of the units is not contrived, and the division between the residential and the retail space is logical. Consequently, this scheme is not required to contribute to affordable housing.

Mix of units

- 6.6 The application proposes 2 x 1-bed, 10 x 2-bed and 2 x 3-bed units although one of the 3-bed units does not include a living room. Although, a higher number of larger units would be preferred, the location and lack of private amenity space make the

flats less suitable for families. In this instance the proposed mix is therefore considered to be acceptable.

- 6.7 The units are all reasonably sized, meeting the internal space standards contained within SPG. Natural lighting is good and overall the units provide an acceptable standard of accommodation.

Demolition of the existing building

- 6.8 The existing buildings (No.s 159 & 163 -165) appear post war and very utilitarian. Number 161 dates from an earlier period, but has been much altered in the 20th century. The properties are not listed as making a positive contribution to the conservation area. On this basis, demolition and redevelopment are considered to be acceptable in principle, subject to an acceptable replacement scheme which is of equal or greater benefit in accordance with adopted policy EN32.

Design

- 6.9 The existing height is between 10m and 10.8m for the 3 storey buildings and the 4 storey building is approximately 14.1m high. The proposed development would be 13.5m to the top of the main elevation and the overall height would be 15.7m although the set back 'attic' storey serves to reduce the bulk and mass of the proposal.
- 6.10 Furthermore, the introduction of coping to the top of the main elevation and the reduction in the thickness of framing to the 'attic' storey have strengthened the parapet and reduced the prominence of this top level.
- 6.11 The proposal is broadly similar in height and scale to the neighbouring building on the opposite side of Underhill Passage and would then provide a step down to the adjoining 3 storey building at 167 Camden High Street. This relationship would be similar to the existing relationship between the 3 and 4 storey buildings which are proposed to be demolished.
- 6.12 The amended scheme improves the distinction between the 3 vertical elements on the front elevation by setting back the central spine and amending the materials used on this element. This has the effect of improving the vertical rhythm of the proposal so that it more clearly relates to Camden High Street. The windows to the front elevation have been recessed by 100mm give the proposal more depth and visual interest which helps to address the concerns raised by the Camden Town CAAC about the proposal appearing too flat.
- 6.13 Originally, the shopfronts had full height glazing and would not have respected the general character and appearance of other shopfronts in the street. The amended design to incorporate stallrisers and thicker frames has overcome this concern and is now considered to be acceptable. A condition is attached requiring details of the shopfront and the other entrances on Underhill Passage to be agreed.
- 6.14 The traditional materials which predominate on this part of Camden High Street are red brickwork with some white render. Given that a contemporary scheme is

proposed, the use of traditional materials would appear as a pastiche and would not be the most appropriate design solution. However, it is important that the materials still respect the character and appearance of Camden High Street and the wider conservation area. A number of amendments have been made to the materials palette and the main elevations now comprise a cream render with red corten steel panel cladding on the central 'spine'. The windows would then be articulated with aluminium frames which would relate to the set back steel framed 'attic' storey. It is considered that the proposed materials would enable the proposal to be comfortably assimilated into its immediate environment without compromising its contemporary feel.

Community Safety

- 6.15 The proposal seeks to improve to appearance of Underhill Passage and to upgrade it with safety measures including additional lighting, CCTV and entry phone panel access control. Details of these measures could be controlled by condition. The applicant contends that natural surveillance would be improved and that the proposal would discourage criminal or anti-social activity.
- 6.16 Furthermore, provision of the residential access on the Camden High Street frontage would reduce the amount of shopfront and on balance, the proposal is considered to be acceptable in this regard.

Residential amenity

- 6.17 The proposed building would be approximately 0.7m deeper than the existing building to the rear and would be a storey taller on the boundary with 167 Camden High Street. The application property is located to the south of number 167 and the proposal would have some impact on sunlight and daylight into the rear windows to this property. However, number 167 is entirely in commercial use and therefore limited protection can be afforded to these rear windows.
- 6.18 There are flats in the upper floors of 157 Camden High Street adjacent to the south on the opposite side of Underhill Passage. However, given the relationship, orientation and distance between the application property and the rear windows to the flats at number 157, it is not considered that the additional height and depth would have any significantly detrimental impact on light into or outlook from these windows.
- 6.19 Timber louvres are proposed to the side elevation facing Underhill Passage and these would be fixed shut to avoid overlooking to the side windows on the upper floors at 157 Camden High Street. Similarly, all the side windows facing Underhill Passage to proposed flat numbers 4, 8 and 12 would be obscure glazed and these elements are conditioned as such.
- 6.20 The nearest facing windows to the rear of the site are approximately 40m away and which is far in excess of the minimum 18m required by policy DS5.

Transport

- 6.21 The application proposes no off-street parking and could potentially result in a significant increase in parking congestion in the locality to the detriment of highway and pedestrian safety. However, the site has good public transport links and this is an appropriate scheme for car-free housing whereby residents of the development would not be eligible for residents parking permits. The applicant has agreed to enter into a Section 106 Agreement for car-free housing to overcome this concern..
- 6.22 A construction management plan is required through a Section 106 Agreement to ensure that all construction scheduling is agreed and approved by TfL and the Council's Highways Team as necessary to ensure the safety and efficiency of vehicular and pedestrian movements in the vicinity of the site.
- 6.23 A servicing management plan is required through a Section 106 Agreement requiring all deliveries to the site to be made via Underhill Street rather than Camden High Street given the limited amount of loading space and the disruption to pedestrians that would otherwise be caused.
- 6.24 Highway works will be required to repair and widen the footway along Underhill Passage. The cost of these works should be paid by the applicant and secured by legal agreement.
- 6.25 Further highway works will be required to make good the area of footway directly in front of the scheme on Camden High Street. TfL prefer to enter into contract directly with applicants rather than seek Section 106 contributions through the local planning authority. Therefore, a condition is attached requiring the applicant to enter into a contract with TfL to address this matter.
- 6.26 A cycle parking area indicating accommodation for 14 cycles is proposed at ground floor level accessed from Underhill Passage which is acceptable. A condition is attached requiring details to be submitted and that the area is retained for cycle parking.

Disabled access

- 6.27 The proposal would meet lifetime homes standards in all respects other than the provision of a disabled parking bay which cannot be provided in this instance. Level access and a lift is provided and the proposal is considered to be acceptable in access terms.

Open space

- 6.28 Adopted policies HG13 and EN54 state that the Council will seek the provision of accessible garden space and public open space as part of new developments. Emerging policy N4 requires the provision of 9sqm of open space per person and this policy carries some weight.
- 6.29 There is limited private amenity space for some of the units in the form of rear balconies and roof terraces and adequate open space cannot be accommodated on site. In this instance, a financial contribution would be appropriate towards improvement to, and maintenance of nearby existing open space.

- 6.30 Officers are still considering where any such contribution should be most appropriately directed and then a reasonable level of contribution can be negotiated and reported to Committee.

Energy

- 6.31 The applicant has investigated the potential for incorporating various renewable energy sources into the scheme to achieve the 10% energy generation requirement set out in emerging policy SD9.
- 6.32 The applicant has shown that this requirement can be met by incorporating a solar water heating system on the roof and could be further supplemented by photovoltaic panels. Further investigation into the most suitable solution is being carried out by the applicant and a condition is attached requiring details of any renewable sources to be submitted for approval.

Biodiversity

- 6.33 The scheme provides terraces that could accommodate planting boxes and measures such as nest spaces and green or brown roofs could also be used. The applicant is prepared to incorporate these measures as appropriate and a condition is attached requiring details to be submitted.

Education

- 6.34 As more than 5 units are proposed an educational contribution which would equate to £55,824 is required in accordance with SPG based on 2005/2006 figures.

7. CONCLUSION

- 7.1 The existing buildings do not make a making a positive contribution to the conservation area and conservation area consent for demolition of these buildings is recommended for approval.
- 7.2 The loss of existing office floorspace is justified and the proposal is considered to contribute towards improving the vitality of the town centre and meeting housing needs within the borough. It is considered to be acceptable in all respects and is recommended for approval subject to conditions and a legal agreement to cover the following matters:
- Car-free housing for all 14 of the residential units so occupiers of those units will not be eligible for residents parking permits in the locality;
 - A construction management plan ensure the safety and efficiency of vehicular and pedestrian movements in the vicinity of the site;
 - A servicing management plan to require deliveries to be made via Underhill Street;
 - Highway works to repair and widen the footway along Underhill Passage;
 - Education contributions;

7.3 If the application is not determined within the 13 week timeframe then the application should be refused for the following reasons:

- The proposed development, in the absence of a legal agreement for car-capped housing, would be likely to contribute to parking stress and congestion in the surrounding area to the detriment of highway and pedestrian safety contrary to policies TR4 (Cumulative impact of proposals), TR17 (Residential parking standards) and RE6 (Planning obligations) of the London Borough of Camden Unitary Development Plan 2000 and policies SD2 (Planning obligations), T1 (Sustainable transport), T3 (Pedestrians and cycling), T7 (Off-street parking, city car clubs and city bike schemes), T8 (Car free housing and car capped housing), T9 (Impact of parking) of the Revised Deposit Draft as amended by the Proposed Modifications agreed by the Council's Executive on 11th January 2006.**
- The proposed development, in the absence of a legal agreement securing a construction management plan and a servicing management plan, would be detrimental to highway and pedestrian safety, contrary to policies RE6 (Planning obligations), TR19 (Road safety), TR20 (Traffic management) and TR21 (Pedestrians) of the London Borough of Camden Unitary Development Plan 2000, Section 3.10 (Works to public highway) of the London Borough of Camden Supplementary Planning Guidance 2002 and policies SD2 (Planning obligations), T3 (Pedestrians and cycling) and T12 (Works affecting highways) of the Revised Deposit Draft as amended by the Proposed Modifications agreed by the Council's Executive on 11th January 2006.**
- The proposed development, in the absence of a legal agreement securing highway improvements, would be detrimental to highway and pedestrian safety, contrary to policies RE6 (Planning obligations), TR19 (Road safety), TR20 (Traffic management) and TR21 (Pedestrians) of the London Borough of Camden Unitary Development Plan 2000, Section 3.10 (Works to public highway) of the London Borough of Camden Supplementary Planning Guidance 2002 and policies SD2 (Planning obligations), T3 (Pedestrians and cycling) and T12 (Works affecting highways) of the Revised Deposit Draft as amended by the Proposed Modifications agreed by the Council's Executive on 11th January 2006.**
- The proposed development, in the absence of a legal agreement for securing educational contributions, would be likely to result in an unacceptable increase in pressure and demand on the Borough's education provision contrary to policy RE6 (Planning obligations) of the London Borough of Camden Unitary Development Plan 2000, Section 3.13 (Educational contributions from residential developments) of the London Borough of Camden Supplementary Planning Guidance 2002 and policy SD2 (Planning obligations) of the Revised Deposit Draft as amended by the Proposed Modifications agreed by the Council's Executive on 11th January 2006.**

8. LEGAL COMMENTS

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

POLICY OBSERVATION ON PLANNING APPLICATION

Date Prepared	23 February 2006		
To: DC Case officer	Tom Smith		
From: FPP	Rob Farnsworth	Tel:	5964
Application Ref	2006/0766/P		
Site address / location	159 - 165 Camden High Street		
Description of the proposal	Demolition of existing buildings and the redevelopment of the site through the erection of a five-storey plus basement level building, with retail (Class A1) at basement and ground floor levels, and 14 self-contained flats above (Class C3).		

SUMMARY

No land use policy objection to the principle of the mix of uses or the overall residential content, subject to addressing sustainability objectives, emerging policies SD9C, H7, N4, Nnew and C3, and compliance with all other UDP policies. If a justification of the dwelling mix has not now been submitted, then if the scheme is amended for further resubmission, the applicant should be asked to consider the inclusion of a greater proportion of family dwellings with 3 or more bedrooms.

BACKGROUND

Comments were submitted on an earlier (withdrawn) application 2005/4266/P in November 2005. This observation only addresses changes in circumstances between November 2005 and the current resubmission.

UNCHANGED POLICY CONSIDERATIONS

EC3 – Retention of employment sites

Replacement E2 – Retention of existing business uses

As previously stated, the business space is office space that is not suitable for flexible use. There is no potential for off-road loading, access is awkward, there are no lifts, and the floors are subdivided into small spaces. Consequently, it is not considered necessary to retain business use.

SH3/SH4 – Location of new provision/ Major Centres

Replacement R1 – Location of new retail and entertainment uses.

These policies support the expansion of the retail space in this location.

SH7 – Primary Shopping Frontages in Major and District Centres

Replacement R7 – Protection of shopping frontages and local shops

Replacement R8 – Upper floors and shopfronts

Policy R8 supports residential uses in Town Centres above ground floor level. Even if the upper floors are ancillary to the retail use, it is not considered necessary to retain this as it does not contribute to character, function, vitality and viability, and the emerging plan supports residential use.

HG8 – Increasing the amount of residential accommodation

Replacement H1 – New housing

Provision of additional residential on this site is welcomed.

HG11 – Affordable housing

Replacement H2 – Affordable housing

SPG adopted June 2005 – Affordable Housing and Housing in Mixed Use Areas

This scheme involves 14 dwellings in much less than 1,500 sq m. The division of the units is not contrived, and the division between the residential and the retail space is logical. Consequently, this scheme is not required to contribute to affordable housing.

HG16 – Housing mix in schemes for new residential development

Replacement H8 – Mix of units

Policies HG16 and H2 seek family housing with 3 or more bedrooms. A total of 14 units were previously proposed with a mix of 2x1-, 10x2- and 2x3-bedroom dwellings. The previous observation stated that if the scheme is to be amended for resubmission, the applicant should be asked to reconsider the potential for inclusion of dwellings with 3 or more bedrooms. The creation of 3 bedroom units with access to the first floor terrace would be particularly welcome. The resubmission on which comments is now sought has a mix of units unchanged from the previous proposal. However, failure to provide a greater number of family units would not justify a refusal.

Other matters

Subject to Transport Policy comments, UDP policies TR16, TR17, T8 and T9 are likely to justify car free housing. As more than 5 units are proposed educational contributions are required. $10 \times £3,910 + 2 \times £8,362 = £55,824$ (this is the 2005/2006 figure).

ADDITIONAL POLICY CONSIDERATIONS

Replacement SD9C – Use of energy and resources

This replacement UDP policy was considered to have little weight at the time of the previous submission. It expected applicants to demonstrate the energy demand of their proposals and to demonstrate, where feasible, how they would generate a proportion on-site from renewable sources. The proportion expected was at least 10% of demand.

The Council has received and responded to the Inspector's Report on the Replacement UDP, and this process gives significant weight to the objectives of this policy for applications submitted after 11 January 2006. The Inspector recommended that the Council should change the expectation to a requirement, and this change has limited weight until public comments are reported to the Council on 5 April 2006. Nevertheless, the policy now needs to be addressed. Guidance is given in the London Renewables toolkit "Integrating renewable energy into new developments."

HG14 – Mobility and wheelchair housing

Replacement H7 – Lifetime homes and wheelchair housing

All new dwellings should be designed to lifetime homes standard. Generally 10% of homes should be designed as wheelchair housing or easily adaptable, but that may be inappropriate in this location due to the lack of potential to site a dedicated parking bay close to the entrance. It should be noted that the Council has now received and responded to the Inspector's Report on the Replacement UDP, and that policy H7 now has greater weight for applications submitted after 11 January 2006.

HG13 - Provision of amenity space

EN53 – Provision of public open space in new developments

Replacement N4 – Providing public open space

Replacement C3 – New leisure uses

Adopted policies HG13 and EN54 state that the Council will seek the provision of accessible garden space and public open space as part of new developments.

Emerging policy N4 requires the provision of 9sqm of open space per person. This replacement UDP policy was considered to have little weight at the time of the previous submission. The Council has received and responded to the Inspector's Report on the Replacement UDP, and this process gives some weight to the objectives of policy N4 for applications submitted after 11 January 2006, however the detailed wording has limited weight until public comments are reported to the Council on 5 April 2006.

The consultation draft SPD "Provision of Public Open Space" (October 2004) has very limited weight, but does give guidance on how to convert development size into the number of occupiers, and in turn to calculate open space requirements and costs.

In this instance the site is in fairly close proximity to a private open space at St. Martin's Garden, although access is across a very busy road. There is limited opportunity to provide open space on site and as such a contribution should possibly be sought instead - for the provision elsewhere of amenity open space, formal recreation area and play space (unless provided on site) plus maintenance costs - or for public access to, and additional use of, existing open space.

Emerging policy C3B states that the Council will require proposed developments that are likely to result in increased demand for play facilities to provide facilities that are safe, secure and accessible, and that meet a variety of needs. Dependent on the number of family units, a contribution may be sufficient, in this instance.

Replacement Nnew - Biodiversity

Emerging policy Nnew expects schemes to have considered conserving and enhancing biodiversity, including the creation of wildlife habitats. These measures include the use of green and brown roofs, the provision of nest spaces and boxes that meet the need of specific species and by planting species. The proposal may have potential to incorporate several of these measures, especially on terraces and roofs.

Other matters

The development as a whole could be considered to trigger the expectation of a BREEAM sustainability assessment, or at least of an EcoHomes assessment for the housing element of 10- or more dwellings (SPG para 1.3.15). Requests for BREEAM assessment now have the backing of Replacement UDP para 1.64.

CONCLUSION

No land-use policy objection, but:

- a) in the event of a resubmission, the applicant should be asked to consider introduction of additional 3 or more bedroom units, particularly on the first floor at the rear, unless this amendment has already been shown to be impracticable;
- b) accessibility (lifetime and wheelchair homes) issues need to be addressed;
- c) sustainability issues need to be considered, in particular the potential for generating renewable energy on-site should be addressed, with a target of 10% of the site's energy needs to be met on-site; and
- d) potential contributions to play space, open space and biodiversity need to be considered.

Signed off by



Date

23/02/2006