



PLANNING SERVICES

TOWN & COUNTRY PLANNING ACT 1990 (as amended)

HEARING

STATEMENT OF CASE

APPEAL SITE 28 Redington Road, London, NW3 7RB

APPELLANT 28 Redington Road LLP

SUBJECT OF APPEAL

1) Appeal against non-determination of planning application for:

Erection of 4 storey plus basement building (with accommodation at 4th floor level within the roof) to provide 8 flats (1 x 1 bed, 5 x 2 bed, 1 x 3 bed and 1 x 4 bed) including front balcony and rear roof terraces, hard and soft landscaping and 7 basement car parking spaces with car lift, following demolition of the existing building (Class C3).

COUNCIL REFERENCE: 2016/2997/P

PLANNING INSPECTORATE REFERENCE: APP/X5210/W/16/3164577

Summary

The site is identified as making a positive contribution to the character and appearance of the Redington Frogna Conservation Area (CA) in which it is located. The subject property is an attractive residential building dating to the early 1900s and built in the Arts and Crafts style with large decorative brick chimney stacks and pitched tile roofs. The highly attractive attached two storey coach house allows important views of greenery and trees within rear gardens. The submitted Heritage Statement states that the proposed building has limited and essentially neutral contribution to the character and appearance of CA, however it is the Council's opinion that it positively contributes. This is noted within the CA appraisal and confirmed following additional assessment for this application.

The proposed replacement building attempts to provide a mix of too many styles, materials and details seen within the CA. The storey heights and windows are out-of-scale and do not exhibit the design and proportions seen in the neighbouring houses. Along with its huge increase in footprint and associated bulk, height and mass, the proposed development would result in a building out of context and negatively impacting upon the character and appearance of the CA. The rear of the site would be highly compromised due to the loss of garden. The existing gap between numbers 28 and 26 would be compromised due to the additional built form. This would impact on views in, out and through the CA and the loss of views of trees and greenery in the rear gardens would be harmful.

The replacement building taken together with the loss of the existing building would negatively impact upon the character and appearance of the CA and would not preserve or enhance it. The harm to the CA is considered to be less than substantial and the limited public benefits (provision of 8 flats) would not outweigh this harm. The development is therefore contrary to policies CS14, DP24 and DP25 of the Local Development Framework and policies D1 and D2 of the Camden Local Plan Submission Draft 2016 and paragraph 134 and 135 of the NPPF.

The size of the basement is considered to be disproportionately large and the applicant has not demonstrated the proposed basement would not cause harm to the built and natural environment and local amenity and would not result in flooding or ground instability contrary to policy DP27 of the Council's Development Policies and policy A5 of the Camden Local Plan Submission Draft 2016. In addition the development would harm the daylight and sunlight of the occupiers of 30 Redington Road, would result in the loss of on-street parking and the appellant has not demonstrated that the development would not result in harm to existing trees or to highway safety.

1.0 SITE AND SURROUNDINGS

- 1.1. The site is located within the Redington Frogmal Conservation Area and is identified as making a positive contribution to its character and appearance. The property falls within sub-area four 'Redington Road and Templewood Avenue' of the conservation area.
- 1.2. The site comprises a large detached attractive residential building with attached coach house on a large plot of land. At some point in the past (c.1950s) the owners of 28 Redington Road purchased the land at the rear of Oak Hill House to provide an enlarged garden. The property is 3 storeys and this includes a part sunken lower ground floor level which due to the topography is more apparent to the southern part of the building than the northern. The property was previously used by the Columban Fathers.
- 1.3. It is constructed of brick (sections of which faced in painted pebble dash render) sitting under large pitched tile roofs. It dates to the early 1900s and is built in the Arts and Crafts style with large decorative brick chimney stacks. No.28 is set back from the pavement, creating a front garden with large trees and vegetation set behind a low rendered brick boundary wall.
- 1.4. Like other properties to the east side of Redington Road, No. 28 sits higher than the pavement due to the topography. Like other properties in the street it also retains a gap between its neighbours which allows views to the rear and trees within rear gardens.
- 1.5. No. 28 sits among and compliments the mixture of Arts and Crafts, Free Classical, Queen Anne, Edwardian and neo-Georgian styles utilising consistent use of materials and detailing, which forms the distinct character and appearance of this area of the CA and is associated with this period of construction and architecture. The surrounding area is predominantly residential in character.

2.0 RELEVANT PLANNING HISTORY

- 2.1 Planning permission was refused 04/12/1969 for change of use of No. 28 Redington Road, Camden, from a single family residence to use as a Mission Hostel (Planning reference: 7793)

3.0 PLANNING POLICY FRAMEWORK

Local Development Framework

- 3.1 The Council's Local Development Framework (LDF) adopted on 8th November 2010. The LDF comprises Core Strategy and Development Policies documents. These documents have been through an Examination in Public, and the appointed Inspector found the documents to be sound. The relevant LDF policies as they relate to the reason for refusal of the applications are listed below:

Core Strategy

CS1 Distribution of Growth

CS5 Managing the Impact of Growth and Development

CS6 Providing quality homes

CS11 Promoting sustainable and efficient travel

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting High Quality Places and Conserving Our Heritage

CS15 Protecting and improving our parks and open spaces and encouraging biodiversity

CS16 Improving Camden's health and well-being

CS18 Dealing with our waste and encouraging recycling

CS19 Delivering and monitoring the Core Strategy

Development Policies

DP2 Making full use of Camden's capacity for housing

DP5 Homes of different sizes

DP6 Lifetime homes and wheelchair homes

DP16 The transport implications of development

DP17 Walking, cycling and public transport

DP18 Parking standards and limiting the availability of car parking

DP19 Managing the impact of parking

DP20 Movement of goods and materials

DP21 Development connecting to the highway network

DP22 Promoting sustainable design and construction

DP23 Water

DP24 Securing High Quality Design

DP25 Conserving Camden's heritage

DP26 Managing the Impact of Development on Occupiers and Neighbours

DP27 Basements and lightwells

DP29 Improving access

- 3.2 The full text of each of the policies has been sent with the questionnaire documents.

Camden Local Plan Submission Draft 2016

- 3.3. The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications will continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report. The Inspector's report on the Local Plan is included in Appendix A

- 3.4. Camden Local Plan Submission Draft 2016 Policies

G1 Delivery and location of growth

H1 Maximising housing supply

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

H4 Maximising supply of affordable housing

H6 Housing choice and mix

H7 Large and small homes

C1 Health and wellbeing

C2 Community facilities

C3 Cultural and leisure facilities

C5 Safety and security

C6 Access for all

E1 Economic development

E2 Employment premises and sites

A1 Managing the impact of development

A2 Open space

A3 Biodiversity

A4 Noise and vibration

D1 Design

D2 Heritage
D3 Shopfronts
CC1 Climate change mitigation
CC2 Adapting to climate change
CC3 Water and flooding
CC4 Air quality
CC5 Waste
TC1 Quantity and location of retail development
TC2 Camden's centres and other shopping areas
TC4 Town centres uses
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T3 Transport infrastructure
T4 Sustainable movement of goods and materials
DM1 Delivery and monitoring

Supplementary Guidance (CPG)

- 3.5. The following Camden Planning Guidance is relevant.
- Camden Planning Guidance 1 Design (As amended 2013 and 2015)
Camden Planning Guidance 2 Housing (As amended 2013 and 2015)
Camden Planning Guidance 3 Sustainability (As amended 2013 and 2015)
Camden Planning Guidance 4 Basement and Lightwells (As amended 2013 and 2015)
Camden Planning Guidance 6 Amenity (2011)
CPG7 Transport (2011)
CPG8 Planning Obligations (As amended 2015)
These Supplementary Planning Documents were adopted following extensive public consultation.
- 3.6. In addition, the guidance contained in the Redington Froggnal Conservation Area Statement is relevant to this appeal. This was adopted January 2003.
- 3.7. A copy of the above Camden Planning Guidance documents and the Redington Froggnal Conservation Areas Statement were sent with the questionnaire.

- 3.8. The National Planning Policy Framework (NPPF) 2012 is also relevant to the Council's decision and to this appeal. The policies and guidance contained within Camden's LDF 2010 are up to date and fully accord with paragraphs 214 – 216 (Annex 1) of the NPPF and should therefore be given substantial weight in the decision of this appeal. The National Planning Policy Framework was adopted in April 2012 and states that development should be refused if the proposed development conflicts with the local plan unless other material considerations indicate otherwise. There are no material differences between the Council's policies and the NPPF in relation to this appeal.

4.0 SUBMISSIONS

- 4.1 The council confirms that had appeals against non-determination not been made, planning permission for the erection of 4 storey plus basement building (with accommodation at 4th floor level within the roof) to provide 8 flats (1 x 1 bed, 5 x 2 bed, 1 x 3 bed and 1 x 4 bed) including front balcony and rear roof terraces, hard and soft landscaping and 7 basement car parking spaces with car lift, following demolition of the existing building (Class C3) would have been refused for the following reasons.

Reason 1

- 4.2 The proposed demolition would result in the complete loss of a non-designated heritage asset which has historic, aesthetic, and communal significance and which makes a positive contribution to the Redington Frognal Conservation Area to the detriment of the character and appearance of this part of the Redington Frognal Conservation Area, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies; and policies D1 and D2 of the Camden Local Plan Submission Draft 2016.

Reason 2

- 4.3 The proposed replacement building, by reason of its bulk, scale, mass, height and design, would be detrimental to the character and appearance of the Redington

Frogna Conservation Area and would not enhance the conservation area to an appreciably greater extent than the existing building contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies; and policies D1, D2, and A5 of the Camden Local Plan Submission Draft 2016.

Reason 3

- 4.4 In the absence of sufficient information in the basement impact assessment, the applicant has failed to demonstrate the development will not cause harm to the built and natural environment including the local water environment, ground conditions and the structural stability of neighbouring properties contrary to policy CS14 (Promoting High Quality Places and Conserving Our Heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP23 (Water) and DP27 (Basements and lightwells) of the London Borough of Camden Local Development Framework Development Policies; and policies A5 and CC3 of the Camden Local Plan Submission Draft 2016.

Reason 4

- 4.5 The proposed development, by reason of its height and bulk would result in a loss of daylight and sunlight to 30 Redington Road which would be harmful to the living conditions of its occupiers, contrary to policies CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies; and policy A1 of the Camden Local Plan Submission Draft 2016.

Reason 5

- 4.6 In the absence of sufficient information, the applicant has not demonstrated that trees T11 and T12 would not be harmed by the development contrary to policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the London Borough of Camden Local Development Framework Core Strategy

and policies DP24 (Securing High Quality Design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies; and policies A3 and D2 of the Camden Local Plan Submission Draft 2016.

Reason 6

- 4.7 In the absence of accurate swept path diagrams, the applicant has failed to demonstrate that the proposed development would not harm highway safety or hinder pedestrian movement contrary to policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Development Policies; and policy A1 of the Camden Local Plan Submission Draft 2016.

Reason 7

- 4.8 The proposed development, by reason of the increased size of the crossover, would result in the loss of on-street parking adding to existing parking problems and increasing parking pressure contrary to policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Development Policies; and policy A1 of the Camden Local Plan Submission Draft 2016.

Reason 8

- 4.9 The proposed development, in the absence of a legal agreement requiring the development to incorporate sustainability measures to reduce carbon emissions and minimise use of energy, water and resources, would fail to be sustainable in its use of its resources and meet the challenge of climate change, contrary to policy CS13 (Tackling climate change through promoting higher environmental standards) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies; and policies CC1, CC3 and DM1 of the Camden Local Plan Submission Draft 2016.

Reason 9

- 4.10 The proposed development, in the absence of a legal agreement securing an energy efficiency plan including on-site renewable energy facilities, would fail to be sustainable in its use of resources and fail to take sufficient measures to minimise the effects of, and adapt to, climate change, contrary to policies CS13 (Tackling climate change through promoting higher environmental standards), CS16 (Improving Camden's health and well-being) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 (Promoting sustainable design and construction), DP23 (Water) and DP32 (Air quality and Camden's Clear Zone) of the London Borough of Camden Local Development Framework Development Policies; and policies CC1, CC4 and DM1 of the Camden Local Plan Submission Draft 2016.

Reason 10

- 4.11 The proposed development, in the absence of a legal agreement securing a highway contribution for necessary highway works, would fail to secure adequate provision for the safe movement of pedestrians and have an unacceptable impact on the public highway, contrary to policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policy DP21 (Development connecting to the highway network) of the London Borough of Camden Local Development Framework Development Policies; and policy A1 of the Camden Local Plan Submission Draft 2016.

Reason 11

- 4.12 The proposed development, in the absence of a legal agreement securing a Construction Management Plan, would be likely to contribute unacceptably to traffic disruption and be detrimental to general highway and pedestrian safety, contrary to policy CS11 (Promoting sustainable and efficient travel) of the London Borough of Camden Local Development Framework Core Strategy and policies DP20 (Movement of goods and materials) and DP21 (Development connecting to the highway network) of the London Borough of Camden Local Development Framework Development Policies; and policies A1 and T4 of the Camden Local Plan Submission Draft 2016.

Reason 12

- 4.13 The proposed development, in the absence of a legal agreement to secure the residential units as 'car-capped' housing, would be likely to contribute unacceptably to parking congestion in the surrounding area and promote the use of non-sustainable modes of transport, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Core Strategy and DP18 (Parking standards and limiting the availability of car parking) and DP19 (Managing the impact of parking) of the London Borough of Camden LDF Development Policies; and policies T2 and DM1 of the Camden Local Plan Submission Draft 2016.

5.0. THE APPELLANT'S GROUNDS OF APPEAL

The appellant's grounds of appeal can be summarized as follows:

Demolition of the existing building

- The existing building's contribution to the Conservation Area is limited and essentially neutral, offering a design that is average and pedestrian compared to other properties in the immediate local area;
- Historic alterations to the building means that any limited design integrity that may have existed is now limited even further compared to more complete buildings found locally;
- The existing building makes a more limited contribution to both the significance of the Conservation Area and the character and appearance of the Conservation area;
- Any contribution that the property makes to the conservation area has to do with its residential typology, its massing and its situation within the wider site, rather than its inherent architectural quality;
- Any limited contribution to the Conservation Area will be reproduced (and potentially enhanced) through the provision of a replacement building that responds to the prevailing Arts and Craft style found locally.
- The loss of the existing building on the site will not be harmful to the designated heritage asset because it will be replaced by a new building that offers an equal or greater contribution to the Conservation Area (discussed

further below). The provision of the replacement dwelling following the demolition of the existing can be secured via legal agreement.

- Policy DP25 resists this where this harms the character or appearance of the Conservation Area. Where harm will not arise, such as when a replacement buildings offers an equal or greater contribution to the Conservation Area, then demolition should be acceptable.

Replacement with a new residential building

The proposal offers a more efficient use of the site given the net increase in the number of self-contained dwellings offered.

- The proposed building reflects the Arts and Crafts style that is prevalent in the local area;
- Key aspects of local townscape design such as ridge height, volumetric form, the building's location within its site and its relationship with neighbouring properties reflects prevalent local themes;
- A palette of high quality materials, appropriate design detailing and proportioned windows ensure that the building is a positive and appropriate contribution to the local townscape;
- The new building proposed will offer a greater contribution to the Conservation Area than the existing building.

Quality of the Residential Accommodation Provided

The proposed development offers a high quality of amenity to all proposed residents.

Managing Effects Upon Neighbouring Residents

A full assessment of daylight/sunlight impacts was submitted as part of the application. This confirms that the limited impact upon neighbouring properties is manageable and within the normal expectations of the BRE Guidelines. In terms of potential overlooking and/or privacy, the scheme has been specifically designed to ensure that there is no material change in the relationship between the neighbouring sites when compared to existing.

Basement development

A Basement Impact Assessment was prepared by Mott McDonald and submitted for review. Additional information has been requested and the Appellant is keen to keep discussing this further until the Appeal hearing date. Notwithstanding this, it remains

the Appellant's position that the assessment undertaken confirms that the proposed basement development can be undertaken without harm to neighbouring properties. Any additional information that is required before works commence can be secured through the use of an appropriate S106 obligation, as is normal practice within this LPA. As such, the Appellant is willing to accept an appropriately worded obligation to address this. Additionally, a significant landscaped area is maintained to both the front and rear of the building in addition to the significant rear garden which will also be retained.

Highways and Sustainability

Although it is proposed to provide car parking within a new basement level, the capacity of 7 spaces means that there is no net uplift when compared to the existing capacity at surface level. Additional landscaping to the forecourt area, as submitted to officers during the life of the application, will ensure that the capacity for parking at surface level is limited. Given this, the proposal accords with the LPA's Policy DP16 to not increase car parking as part of new development.

In terms of improving energy efficiency and sustainability, an air source heat pump solution has been proposed that would provide a 53.6% saving in carbon dioxide emissions when measured against the relevant Building Regulations requirements. The development therefore accords with both local and London Plan policies and the Mayor's energy hierarchy of 'Be Lean, Be Clean, Be Green'.

Appropriate details of delivering sustainable development can be secured through appropriately worded conditions if considered necessary.

The Council will address each of the appellants' grounds of appeal individually replicating the format used above.

- 5.1 **The existing building's contribution to the Conservation Area is limited and essentially neutral, offering a design that is average and pedestrian compared to other properties in the immediate local area; The existing building makes a more limited contribution to both the significance of the Conservation Area and the character and appearance of the Conservation area; Any contribution that the property makes to the conservation area has to do with its residential typology, its massing and its situation within the wider site, rather than its inherent architectural quality;**

- 5.2 The Council does not accept the existing building's contribution to the Conservation Area is limited and essentially neutral. The Council also rejects the appellant's assertion that the design of the existing building is average and pedestrian compared to other properties in the immediate local area. The Council agrees with the comments made by Andrew Parish (Architectural Historian and former adviser to English Heritage) who provided an appraisal of the property following consultation on the planning application. The Council agrees with the assessment that the building is an important design with many good features. It is a high quality Arts and Crafts in terms of architecture, materials and construction with an original front door in the late Charles Rennie Mackintosh style, evoking the beginnings of the Art Deco style. The double chimney (at the front) with canted corners is classic Arts and Crafts Elizabethan Revival providing a columnar effect. This large, tall central chimney is an important feature of the design. It is part of a suite of four or more chimneys, including an important chimney at the rear and one at the northern front corner. The attached coach house is highly attractive and due to its sitting opposite the entrance has greater visibility from the street, its curved headed garage door and steep pitched roof contributing to the local vernacular. The building has inherent architectural quality which derives from these features. The form and character of the existing building makes a significant positive contribution to the conservation area.
- 5.3 **Historic alterations to the building means that any limited design integrity that may have existed is now limited even further compared to more complete buildings found locally.**
- 5.4 The side extension to the north of the existing building is considered to have limited impact on the positive contribution the building makes to the conservation area as its visibility is limited in key views. The pebble dash has at some point been painted yellow. Likewise, this is not seen to limit its contribution.
- 5.5 **Any limited contribution to the Conservation Area will be reproduced (and potentially enhanced) through the provision of a replacement building that responds to the prevailing Arts and Craft style found locally. The loss of the existing building on the site will not be harmful to the designated heritage asset because it will be replaced by a new building that offers an equal or greater contribution to the Conservation Area. Policy DP25 resists this where**

this harms the character or appearance of the Conservation Area. Where harm will not arise, such as when a replacement buildings offers an equal or greater contribution to the Conservation Area, then demolition should be acceptable.

- 5.6 The Redington Frogna Conservation Area Appraisal identifies 28 Redington Road as being a positive contributor; this appraisal was adopted in February 2000 and is considered to be up to date. Therefore the building is a non-designated heritage asset. The non-designated heritage asset is considered to have high historic, aesthetic, and communal significance. Paragraph 135 of the NPPF states that 'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.' The scale of the harm and loss of its contribution to the conservation area is considered to be significant, although less than substantial. The proposed replacement building is not considered to preserve or enhance the conservation area.
- 5.7 **The proposal offers a more efficient use of the site given the net increase in the number of self-contained dwellings offered; The proposed building reflects the Arts and Crafts style that is prevalent in the local area; Key aspects of local townscape design such as ridge height, volumetric form, the building's location within its site and its relationship with neighbouring properties reflects prevalent local themes; A palette of high quality materials, appropriate design detailing and proportioned windows ensure that the building is a positive and appropriate contribution to the local townscape; The new building proposed will offer a greater contribution to the Conservation Area than the existing building.**
- 5.8 The proposal would result in an increase in the number of self-contained dwellings however it is noted that no information has been provided which investigates whether the existing building could be retained, enhanced and converted to allow for an increase in residential accommodation. The proposed replacement building has much larger bulk, mass, height and significant change in detailing and design and would be set further forward. The existing appears as two storeys with attic and partially concealed lower ground floor whereas the proposed building appears as a three storey with attic. The proposed development would have a greater height and

width than existing building and would completely change the amount of fenestration and the detailing of the windows. In addition, the roofline is higher and so does not follow the gradual rise in land levels up the hill, there is an extra storey fitted in which is out-of-keeping with houses of this type and style in the area and the storey heights and windows are out-of-scale and do not exhibit the verticality seen in the neighbouring houses. While the proposed building picks up on some detailing, the proportions and scale would be out of character to the local vernacular. For these reasons the proposed development would not preserve or enhance the character and appearance of the conservation area.

5.9 The proposed development would provide high quality residential accommodation with a high quality of amenity to all proposed residents.

5.10 The Council accepts that the proposed development would provide an acceptable quality of residential accommodation.

5.11 A full assessment of daylight/sunlight impacts was submitted as part of the application. This confirms that the limited impact upon neighbouring properties is manageable and within the normal expectations of the BRE Guidelines.

5.12 The Daylight and Sunlight report prepared by AA projects on behalf of the neighbouring occupiers demonstrates the impact on the daylight and sunlight of the ground floor flat at 30 Redington Road is in excess of BRE guidelines. In particular the daylight and sunlight to a bedroom (R3) would be noticeably reduced.

5.13 A Basement Impact Assessment has been prepared by Mott McDonald and submitted for review. Additional information has been requested and the Appellant is keen to keep discussing this further until the Appeal hearing date. Notwithstanding this, it remains the Appellant's position that the assessment undertaken confirms that the proposed basement development can be undertaken without harm to neighbouring properties.

5.14 Policy DP27 Basements and lightwells requires developers to demonstrate by methodologies appropriate to the site that schemes.

- a) maintain the structural stability of the building and neighbouring properties;
- b) avoid adversely affecting drainage and run-off or causing other damage to the water environment;

- c) avoid cumulative impacts upon structural stability or the water environment in the local area.

5.15 The Council's independent auditors (Campbell Reith) have confirmed that the applicant's BIA does not address the fundamental requirements of the BIA process: to identify potential impacts in advance of planning consent and indicate how they can be safely mitigated. Additional information was therefore requested from the applicant on 10th November 2016 but no further information has been provided. In the absence of this information the proposed development is contrary to policy DP27.

5.16 **The proposal accords with the LPA's Policy DP16 to not increase car parking as part of new development. Appropriate details of delivering sustainable development can be secured through appropriately worded conditions if considered necessary.**

5.17 The proposal is for 7 parking spaces on the site, in the basement. Any further capacity for vehicles to park on the forecourt would be contrary to DP18 and result in an increase in parking beyond the parking provision agreed of seven vehicles and above the standards stipulated in Appendix 2. Parking Standards of Camden's Development Policy. Officers are still concerned that the forecourt could be used for additional car parking for 1 or more cars. This issue could be addressed by securing the design of the forecourt by condition. The condition would be worded so that the details of the forecourt landscaping are required prior to development to demonstrate no parking on the forecourt would be possible.

5.18 The Council consider the sustainability measures, as set out in the 'Energy and Sustainability Statement', should be secured by legal agreement rather than condition. Likewise the reduction in CO2 emissions through the incorporation of renewable energy measures should be secured by legal agreement rather than condition.

6.0 THE COUNCIL'S STATEMENT OF CASE

6.1. Proposal

- 6.2. The applicant seeks planning permission to erect a four-storey building (with accommodation at 4th floor level within the roof) plus basement following demolition of the existing building. The building would provide 8 flats (1 x 1 bed, 5 x 2 bed, 1 x 3 bed and 1 x 4 bed) with front balcony and rear roof terraces and 7 basement car parking spaces accessed by car lift.
- 6.3. Principle of demolition and impact on the conservation area
- 6.4. The site is located within the Redington Frogna Conservation Area and is identified as making a positive contribution to its character and appearance. Policy DP25 of Camden's LDF outlines a clear presumption in favour of buildings that make a positive contribution to the character and appearance of a conservation area. Their loss will only be acceptable where "exceptional circumstances are shown that outweigh the case for retention." Furthermore, any replacement building must preserve and enhance the character and appearance of the conservation area to an appreciably greater extent.
- 6.5. Paragraph 134 of the NPPF is relevant in this case. It states that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." The loss of a single building in a conservation area of this size is considered to cause 'less than substantial harm'. However, the value of the existing building and the degree of harm that would derive from its loss, as well as an assessment of the benefits of the scheme is a judgement that must be made by the Council taking into account the overall planning balance of the scheme. The Council must however be mindful of the statutory duty to "preserve and enhance" the character and appearance of the conservation area and accord it significant weight in this balanced judgement.
- 6.6. Paragraph 135 of the NPPF is also relevant. It states "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".
- 6.7. Policy D2 of the Camden Local Plan Submission Draft 2016 states 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. It also states the Council will seek to protect other heritage assets including non-designated heritage assets (including those on and off the local list). 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.

- 6.8. The Redginton / Frognal Conservation Area was originally designated in June 1985. It was described in the report to the LBC Planning and Communications committee as “an exceptional example of consistently distinguished Victorian and Edwardian architecture”. The report noted that the area had “already begun to lose some of its interesting buildings and was subject to increasing pressure for unsympathetic change”.
- 6.9. The conservation area (CA) is situated on the slopes to the west of Hampstead as they fall towards Finchley Road and the CA is defined by the relationship of the streets and houses to the contours of the hills.
- 6.10. The property falls within sub-area four ‘Redington Road and Templewood Avenue’ of the conservation area. Redington Road was laid out in 1875 and developed slowly starting from the Frognal (southern) end. The distinct quality of Redington / Frognal is that it largely retains its homogenous late 19th / early 20th century architectural character (page 26 of Redington / Frognal CAS). The conservation area statement notes that 18-28 are identified as buildings that make a positive contribution to the conservation area and there is a general presumption in favour of retaining such buildings.
- 6.11. It is noted that no information has been provided which states that the existing building cannot be retained, enhanced and converted to allow for an increase in residential accommodation. No structural report or viability statement supports or justifies the loss of the building and its replacement. It is noted that the supporting text for policy D2 states proposals for demolition and reconstruction should be justified in terms of the optimisation of resources and energy use in comparison with the existing building (paragraph 7.51). No such justification has been provided.
- 6.12. No. 28 sits to the east of the CA and the boundary of its garden also forms the boundary of the CA, which sits directly adjacent Hampstead CA. It sits to the east side of Redington Road.

- 6.13. The site includes a large detached attractive residential building, constructed of brick (sections of which faced in painted pebble dash render) sitting under large pitched tile roofs. It dates to the early 1900s and is built in the Arts and Crafts style with large decorative brick chimney stacks; one striking example projects from the front roof slope. The front elevation also hosts a curved deep canopy above the front entrance door which contains the original metal framed glazed door with geometric design (in the Charles Rennie Mackintosh style) and curved fanlight above. A double height bay window sits to the right of the entrance at lower ground floor and ground and to the left of the entrance sits a double height bay from ground to first floor. Many of the windows are original timber single paned; however some have been insensitively replaced with uPVC which disrupts the fine detailing of the Arts and Crafts style.
- 6.14. Visually the building appears as a two storey with attic accommodation; however, there is a part sunken lower ground floor level which due to the typography is slightly more apparent to the southern part of the elevation than the northern. To the southern part of the building sits a highly attractive attached two storey coach house which due to it sitting opposite the entrance off the road is very apparent within the street scene. Its curved headed garage door and steep pitched roof contribute to the local vernacular.
- 6.15. To the northern end of the building sits a later two storey flat roof extension; finished in brick and pebble dash with a large out of proportion and out of keeping window at ground floor.
- 6.16. No.28 is set back from the pavement, creating a front garden set behind a low rendered brick boundary wall. The lower storey height of the coach house and the recent extension to the north compared to the main original dwelling form retains the important gaps and vistas between buildings upon this street and allows views to the rear and significant trees within rear gardens.
- 6.17. It is noted that the building has received alteration since its original construction (as mentioned above). However much of the existing form, architectural language and detailing is retained and any later changes are not considered to diminish its value or contribution to the character and appearance of the CA.
- 6.18. Large trees and vegetation sit to the front of the site, beyond the low brick rendered boundary wall. The CA appraisal emphasizes that such vegetation forms the

dominant features of the street scene in addition to rear gardens and states that the rear gardens make a contribution of their own to the areas verdant quality. It could be argued that this vegetation could screen No. 28 from the street scene and therefore its contribution to the CA is less; however, the large entrance from the street and gaps within the vegetation and the canopy cover at varying times of the year allow for modest views to the building.

- 6.19. The rear of the property also retains its original character and is finished and designed similarly to the front, with a large pitched projecting gable with deep eaves and verges to the left. Within the roof slope sits a large decorative brick chimney stack which is prominent from within the rear garden. Many of the windows are original timber single glazed and broken in to smaller panes with decorative curved frames, reflecting the Arts and Crafts style. A small single storey brick extension has been added to the projecting gable; although it does not maintain the detailing seen on the host building (and its removal would be welcomed), due to its size and location, it is not considered to significantly affect the character and appearance of the rear elevation.
- 6.20. The site retains a large garden to the rear. A small slabbed area sits immediately to the rear of the building and is accessed by three external doors. A handful of steps then lead up a small open grassed area which then allows access on to woodland dominated by large mature trees. This rectangular strip runs to the east which forms the CA boundary (as mentioned above) and would have originally been part of the garden to Oak Hill House.
- 6.21. No. 28, like other properties to the east side of Redington Road sits higher than the pavement due to the topography; enhancing their visibility and prominence within the street scene and views in, out and across the CA (including the rear). The buildings along this section of Redington Road follow similar building lines, plot sizes and built form proportions within those plots creating the urban grain. No. 28 sits among and compliments the mixture of Arts and Crafts, Free Classical, Queen Anne, Edwardian and neo-Georgian styles utilising consistent use of materials and detailing (red brick, clay tiles, roughcast, large prominent decorative chimneys, large eaves and verges, well-proportioned dormer windows and bay windows), which forms the distinct character and appearance of this area of the CA and is associated with this period of construction and architecture. Many nearby buildings were designed by well-known architects including Quennell, Webb, and Mackmurdo among many others.

- 6.22. The proposed site falls within key views within the Conservation Area even when vegetation does create some division from the road and its construction and architectural style, material and detailing contributes and enhances the character and appearance of the Conservation Area with its strong articulation of the prevailing proportions, height, decorative detailing, strong architectural presence, interest and façade detailing such as windows, canopy, brick detailing and chimney stacks.
- 6.23. The CA appraisal identifies No.28 as a positive contributor and states that there is a strong presumption to retain buildings that make a positive contribution to the character of the area (page 26). This appraisal was reviewed in 2000.
- 6.24. The site is within a designated heritage asset, the Conservation Area, and the building has been identified as a non-designated heritage asset; a Positive Contributor.
- 6.25. It is considered that its loss constitutes less than substantial harm of the designated heritage asset: Redington Frogna CA. There are no known public benefits brought forward by the appellants and as such cannot be put forward to outweigh such harm. In line with NPPF paragraph 135, the balanced judgement taken by the council of the loss of the positive contributor is that less than substantial harm is caused and such loss is not outweighed by the replacement building (discussed more below).
- 6.26. It is important to note that the CA appraisal (page 4) makes note of the report for the CAs initial designation in 1985 that the area had ‘already begun to lose some of its interesting buildings and was subject to increasing pressure of unsympathetic change’. This proposal would result in further loss of such interesting buildings and would further add to the incremental erosion of features that contribute to the character and appearance of the CA.
- 6.27. The submitted Heritage Statement states that the proposed building has limited and essentially neutral contribution to the character and appearance of CA (3.5), however it is the Councils opinion that it positively contributes. This is noted within the CA appraisal and confirmed following additional assessment for this application. It is noted that the appellant states that there may be some differences in style and form to other surrounding buildings; that it has no notable architect recorded; that the large tree to the frontage provides some blocking of its visibility in the street and that it has

received some alteration since its construction. However, these points are not seen to limit its positive contribution. It is of architectural and historic quality with noteworthy detailing and of communal and social significance. It appears dominant in key views within the CA and relates to other buildings locally and as such is considered of value. Its loss would constitute less than substantial harm. However, there has been no structural report or viability assessment completed; neither has any public benefits been brought forward which would be considered to outweigh such harm.

6.28. Replacement building

6.29. The proposed replacement building has larger bulk, mass, height and a significant change in detailing and design compared to the existing. In addition, it would be set further forward (1m) from the existing front elevation and massively extends (18m) beyond the existing rear elevation. The replacement building is therefore seen to negatively impact upon the character and appearance of the CA and it is not considered to preserve or enhance it. The existing building remains prominent but not overly dominant and contributes to the character and appearance due to its height and relationship of height, footprint and patina with buildings within its context; the change in and subtle materials and detailing, and it sitting detached and set back from the front, rear and sides. That proposed would raise its height, increase its width and depth and completely change the amount and detailing of the fenestration (compared to the existing building). The proposed building would appear as a three storey with large attic storey; that existing appears as two with attic and partially concealed lower ground floor.

6.30. The proposed roofline would sit higher than the existing and would not follow the gradual rise in land levels up the hill; this is a feature throughout this area of the CA. The additional storeys albeit only one apparent from the front; would be visible via two large front dormers sitting either side of a large brick chimney. The existing large feature chimney (which the proposed development seems to attempt to replicate) is view against an uninterrupted roofscape. The proposed chimney is compromised and gets lost as a feature due to the large dormers and the amount and mix of detailing added to the building in an attempt to ensure it 'blends in' to its context and replicates that existing.

- 6.31. Although many other buildings within this area contain attic accommodation and associated fenestration (dormers); the vernacular is predominantly two storeys plus attic storey; that proposed would see three main storeys with an attic storey. The proposed development is therefore out-of-keeping with houses of this type and style in the area.
- 6.32. The storey heights and windows are out-of-scale and do not exhibit the design and proportions seen in the neighbouring houses. The three storey bay with balcony to the front, balconies and large dormers to the rear and the use and amount of stone balustrade would be out of context and would create a greater prominence of this building against others which retain complementing, sensitively designed, historical materials and details.
- 6.33. The proposed built form expands the width of the site and the existing gap between 28 and 26 is compromised due to the additional built form. This would impact on views in, out and through the CA and the loss of views of trees and greenery in the rear gardens would be harmful. The views of trees and greenery are highly characteristic and contribute to the character and appearance of the CA.
- 6.34. The rear of the site would be highly compromised due to the loss of garden. The proposed building would project into it by almost 19m (when measured from the existing rear elevation). The proposal also would involve digging down in to the garden to create the lower ground floor and a sunken ground floor level with terraces which ultimately produce voids/lightwells. It is important to note that a substantial part of the rear would project into a thin strip of garden (which was originally part of Oak Hill House) and therefore results in the proposal not following the urban grain or built form in existing plot sizes and detracting from the character and appearance of the CA. It is noted the existing building follows the prevailing form along Redington Road sitting sensitively within it.
- 6.35. The proposed building attempts to provide a mix of too many styles, materials and details seen within the CA. Along with its huge increase in footprint and associated bulk, height and mass, the proposed development would result in a building out of context and negatively impacting upon the character and appearance of the Conservation Area.

- 6.36. The planning statement states 'we have sought to reduce the apparent scale of the building form the street through the provision of a bank of landscaping which serves to partially hide the ground floor window on western side of the front elevation'. This suggests that vegetation would be provided to obscure the façade in an attempt to hide the proposed development. This further suggests the proposed building's overall appearance and contribution to the CA is not important, which should not be the case.
- 6.37. The loss of the garden along with associated terraces, lightwells and rooflights would negatively impact upon the character and appearance of the CA.
- 6.38. There is significant concern that the loss of the existing building and its replacement with that proposed would add to the piecemeal loss of similar buildings within the CA and cumulatively these buildings (many positive contributors) create the overall character.
- 6.39. It is noted that no sections have been provided which show the basement car lift (nor one that shows how the car lift works) or a plan to show how it connects with the proposed lower ground floor.
- 6.40. Basement
- 6.41. Policy DP27 Basements and lightwells requires developers to demonstrate by methodologies appropriate to the site that schemes.
- a) maintain the structural stability of the building and neighbouring properties;
 - b) avoid adversely affecting drainage and run-off or causing other damage to the water environment;
 - c) avoid cumulative impacts upon structural stability or the water environment in the local area.

Addressing these issues requires the submission of a variety of information to provide the Council with a basis for determining applications. This information must be contained within a Basement Impact Assessment (BIA) which is specific to the site and particular proposed development. Basement Impact Assessments should be submitted with the other details at planning application stage.

- 6.42. The purpose of a BIA is to enable the Council to 'assess whether any predicted damage to neighbouring properties and the water environment is acceptable or can be satisfactorily ameliorated by the developer' as stated in DP27.3.
- 6.43. In order to provide the Council with greater certainty over the potential impacts of proposed basement development, the Council requires independent verification of Basement Impact Assessments.
- 6.44. The applicant has provided a basement impact assessment (BIA). The BIA has been independently audited by Campbell Reith. The BIA audit (dated September 2016) raised the following issues:
- The basement proposals shown in architect's drawings and described in the BIA are contradictory and clarification is required.
 - The screening exercise identified a number of potential impacts as unknown, however, these were not taken through the scoping and investigation stages. This process should be completed and any potential impacts assessed.
 - A ground investigation was carried out, however, no interpretation has been provided to inform the design of the basement and superstructure. It should be demonstrated that the investigation has correctly identified the groundwater regime.
 - Surface water drainage calculations identify the need for the attenuation of surface water flow from the site. Further information is now required to show how and where this might be accommodated. It is recommended that a CCTV survey to assess the existing lines, their condition and their suitability for the proposed works will be also required.
 - There are numerous properties within the vicinity of No. 28 Redington Road with basements. One of these is No. 26 Redington Road where planning permission has been granted to lower an existing basement level in 2013. Consideration must be given to the localised and cumulative impacts of the basement proposals on groundwater flows.
 - No structural calculations and drawings have been presented within the BIA. The BIA should contain outline information relating to the sequence of construction, the form of the temporary and permanent works, and the stability and nature of retaining walls and slabs so that the feasibility of the proposals is demonstrated. Ground floor sections and details along the site boundaries will also need to be

submitted to demonstrate how stability will be maintained. Proposals should include dewatering and a consideration of its impacts.

- It has not been demonstrated that the ground movements around the excavation will be controlled to avoid imposing damage to the neighbouring properties. Once the form and sequence of construction are determined, a ground movement assessment should be carried out with building damage assessments prepared for all potentially affected structures. The control of the ground movement is also dependent on a monitoring regime which needs to be implemented. Outline proposals should be provided.
- With reference to Dr. M. H. de Freitas' report (p. 8) it is accepted that there are potential slope stability concerns to the proposed development. This does not comply with LBC development policy documentation and as such the developer will be required to demonstrate this to the contrary. The presence of nearby spring lines and near surface water is also to be confirmed.
- An indicative construction programme is required.

6.45. Following the BIA audit the applicant provided some supplementary information. The Council's independent auditors have confirmed that this response does not address the fundamental requirements of the BIA process: to identify potential impacts in advance of planning consent and indicate how they can be safely mitigated. The auditors confirm the BIA process does not require detailed design input, but does require sufficient outline design to assess risk / impacts (as referenced in CPG4, 'Camden geological, hydrogeological and hydrological study Guidance for subterranean development' Appendix G1 and Appendix G3, and policy DP27). Additional information was therefore requested from the applicant on 10th November 2016 but no further information has been provided. The BIA Audit and further responses from Campbell Reith are included in appendix B

6.46. Given the above, the applicant has not demonstrated the proposed basement would not cause harm to the built and natural environment and local amenity and would not result in flooding or ground instability contrary to policy DP27 Basements and lightwells. It is noted that the requirement for BIAs and independent verification is also found in Policy A5 of the Camden Local Plan Submission Draft 2016. The inspector's report dated 10th May 2017 on the Examination of the Camden Local Plan stated:

- 6.47. *“An independent verification of BIAs is justified given the technical and sensitive nature of the issues involved”. “The cumulative impact of schemes is a key consideration in built-up areas, and accordingly I consider the requirement for a BIA to include details of schemes in the locality is justified”* (paragraph 112).
- 6.48. The Council also has concerns regarding the size of the proposed basement and that it comprises more than 1 storey. Camden Planning Guidance CPG4 recognises that just as overly large extensions above the ground level can dominate a building, contributing to the over-development of a site, an extension below ground can be of an inappropriate scale (paragraph 2.4).
- 6.49. Larger basement developments, such as those of more than one storey in depth or which extend outside of the footprint of the building, can have a greater impact than smaller schemes. Larger basement developments require more extensive excavation resulting in longer construction periods, and greater numbers of vehicle movements to remove the spoil. These extended construction impacts can have a significant impact on adjoining neighbours through disturbance through noise, vibration, dust, and traffic and parking issues. Larger basements also can have a greater impact on the water environment by reducing the area for water to runoff and soak away. Basement development that extends below garden space can also reduce the ability of that garden to support trees and other vegetation leading to poorer quality gardens and a loss in amenity and the character of the area (CPG4, paragraph 2.5).
- 6.50. The size of the basement is also contrary to Camden Local Plan Submission Draft 2016, policy A5. The Inspector’s report on the Local Plan was published on 15 May 2017 and concludes that the plan is ‘sound’ subject to modifications being made to the Plan. While the determination of planning applications continues to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector’s report, subject to any relevant recommended modifications in the Inspector’s report.
- 6.51. Policy A5 states 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.

6.52. The proposed development involves the excavation of 2 floors which at the rear of the site would both be below ground level. The existing property has a lower ground floor level which is partly below ground level at the front of the site and completely below ground level at the rear. The proposed development would excavate at both the front and rear to create a 'lower ground floor' and a 'ground floor' level. However at the rear of the site the 'ground floor' level would be below ground level and would have lightwells. The ceiling of the ground floor would be 1.24m below the existing ground level at the rear of the site and the area above the ground floor would be excavated to provide a terrace for the 'first floor level'. The double storey basement ('lower ground floor' and the 'ground floor' level) would be contrary to policy A5f 'basement development should not comprise of more than one storey'.

6.53. At the rear of the site the basement extends beyond the footprint of the building (the footprint of the 'first floor level' of the building which would appear as the ground floor at the rear) to the side boundary with No. 26 Redington Road and the rear boundary / side boundary of Weeping Ash, Oak Hill Park. This is contrary to policy A5l which states basement development should be set back from neighbouring property boundaries where it extends beyond the footprint of the host building.

6.54. The supporting text to policy A5 provides reasoning for the policy A5f-m (paragraph 6.124):

6.55. *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.*

- 6.56. The proposed basement would be contrary to A5f and A5l and so the impacts of construction and risks and complexity of construction would both be greater.
- 6.57. It is noted the inspector's report dated 10th May 2017 on the Examination of the Camden Local Plan stated:
- 6.58. *Criteria f to m seek to protect local character and minimise the impact of construction on neighbours, and are warranted given the built-up nature of much of the borough and the importance of amenity. I also consider that they are clearly expressed. The Council's evidence shows that basements under homes in predominantly residential areas have the greatest impact, and therefore the application of criteria to smaller scale schemes is justified. There is no firm evidence before me to demonstrate that these requirements, as they apply to smaller-scale schemes, would be unduly onerous or ineffective (Paragraph 110).*
- 6.59. Daylight and sunlight
- 6.60. Policy DP26 'Managing the impact of development on occupiers and neighbours' states the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.
- 6.61. The appellant's daylight and sunlight report (Syntegra) states the slight loss in daylight for the other surfaces is not considered of concern as the proposed VSC levels are either above 27% or more than 0.8 times their former values and will provide adequate levels of daylight. In terms of sunlight, the Syntegra report states that, none of the surfaces at 30 Redington Road facing south east will be adversely impacted by the proposed development. It further clarifies that only the surface S11 will experience a loss in proposed annual probable sunlight hours of 20%. However the proposed APSH will remain close to 20% and it will still provide adequate levels of sunlight.
- 6.62. Neighbouring occupiers have also submitted a daylight and sunlight report (prepared by their consultants 'AA projects') which assesses the impact of the development on 26 and 30 Redington road. Revised calculations have been submitted during the course of this appeal and are included in appendix C. The findings of the AA Daylight and Sunlight report do not accord with the findings of the Syntegra report.

- 6.63. The AA Daylight and Sunlight report states 4 out of the 10 southeast elevation windows (i.e 3 at ground floor level and 1 at first floor level) for 30 Redington Road fail the BRE criteria in terms of Vertical Sky Component (VSC). In terms of daylight distribution or no sky line (NSL), the report states that 1 room at ground floor level and one room (a bathroom) at first floor level would experience reductions in daylight greater than those allowed by the BRE guidance.
- 6.64. Only the 9.1sqm bedroom R3 therefore appears to be of concern in terms of NSL and VSC. The area of this room receiving direct skylight would be reduced from 6.21sqm to 4.49sqm. A reduction of approximately 29% which is above the 20% reduction suggested by BRE to be acceptable. The VSC for this room would be reduced from 16.83% to 11.93%. A percentage reduction (29.1% reduction) significantly higher than the 20% suggested by BRE to be acceptable. The average daylight factor for this room is already below (existing 0.28%) the recommended minimum for a bedroom (1% ADF) and would be reduced to 0.21%.
- 6.65. In terms of sunlight, the BRE states that if a window receives more than 25% of Annual Probable Sunlight Hours (APSH) including at least 5% of APSH in the winter months between 21 September and 21 March, then the room should still receive enough sunlight. Any reduction in sunlight access below this level should be kept to a minimum. If the available sunlight hours are both less than the amount above and less than 0.8 times their former value, then the occupants of the building will notice the loss of sunlight. The AA Daylight and Sunlight report demonstrates there would be a reduction in APSH for 30 Redington Road. Bedroom R3 would be reduced from 24% to 13% APSH which is 0.54 times its former value (46% reduction) and therefore fails the BRE assessment.
- 6.66. There would also be a reduction of sunlight to the kitchen (R4) which is reduced from 25% to 19% APSH which is 0.76 times its former value (24% reduction) and therefore fails the BRE assessment.
- 6.67. The living room would pass the total APSH in terms of summer but would fail in terms of winter. This room has 5 windows but 3 of these face north and are therefore not able to receive sunlight. The remaining 2 windows would be reduced to 0 hours of APSH in winter (from an existing total APSH of 5%).

6.68. It is acknowledged that the affected property (at 30 Redington) is a 3 bedroom ground floor flat and that only 1 of the bedrooms is significantly affected in terms of daylight and that this room currently has poor daylight levels as demonstrated by the existing ADF of 0.28%, however the reduction in sunlight is also of concern. The reduction in sunlight would also affect the lounge diner in winter and to a lesser extent the kitchen. The harm to the amenity of the ground floor flat at 30 Redington Road in terms of daylight and sunlight is considered to be contrary to policy DP26.

6.69. Impact on trees

6.70. Council policies CS15, DP24 and DP25 protect trees. Development will not be permitted 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.

6.71. The applicant has carried out trial pit investigations at various points across the site where excavation is proposed within the root protection areas of trees that are proposed to be retained. The trials pits were largely free of significant roots.

6.72. The scheme proposes excavation within the root protection area of T11 and T12. The locations and findings of the trial pits are not considered sufficient to demonstrate that T11 and T12 would not be adversely affected by the proposed excavation within the root protection areas. The appellant has therefore not demonstrated that the proposed development would not damage these trees contrary to policy.

6.73. Highway safety (absence of accurate swept path diagrams)

6.74. Policy DP19 (Managing the impact of parking) states the Council will resist development that would harm highway safety or hinder pedestrian movement.

6.75. The appellant has submitted proposed plans and swept path diagrams with the planning application which show a widened crossover. The appellant has commented during the assessment of the application that the crossover is not to be widened. However the plans clearly show a difference between the existing (drawing ref: JCA-RR-EX-003) and proposed (drawing ref: JCA-RR-PR-002) crossover widths. The swept path plans also show vehicles driving through the parking bay adjacent to the crossover. This is also not an accurate plan as it will not be possible to drive through the bay if a vehicle is parked in the bay.

- 6.76. Paragraph 7.19 of CPG7 states that an area should be provided within the site for all vehicles waiting for a traffic signal, barrier or vehicle lift. This area should be sufficient to accommodate the maximum likely number of queuing vehicles, without any obstruction to pedestrians and vehicles using the public highway. Where a lift is only available to one vehicle or direction of flow, there must be space at each end for leaving vehicles to pass those queuing to enter. The plans and swept path analysis are not representative of what is proposed and therefore the Council cannot accurately assess if the above is possible.
- 6.77. In the absence of this information the applicant has failed demonstrate that the proposed development would not harm highway safety or hinder pedestrian movement contrary to policy DP19.
- 6.78. Loss of on-street parking
- 6.79. Policy DP19 (Managing the impact of parking) states the Council will resist development that would require detrimental amendment to existing or proposed Controlled Parking Zones. Development that would reduce the amount of on-street parking will be resisted where it would cause unacceptable parking pressure, particularly in areas of identified parking stress (paragraph 19.4).
- 6.80. The submitted drawing JCA-RR-PR-002 clearly shows a widened crossover. While it is clear that the width of the opening between the side boundary wall and the front boundary wall which curves around into the site would not be widened, the swept path diagrams and proposed drawings show the pavement terminating in line with the front wall. It would therefore appear that the development proposes to widen the crossover. The existing crossover begins a short distance from the boundary wall. Existing drawing (JCA-RR-EX-003) indicates this distance is approximately 0.8m from the end of the front of the boundary wall.
- 6.81. Widening the crossover would result in a loss of on street parking. As set out in paragraphs 19.4 and 19.9 of the Camden Development Policies document, the council will not approve applications for planning permission (and for highways consent) that would cause unacceptable parking pressure or add to existing parking problems. The CA-H CPZ experiences a parking stress of 1.11, which means there are 111 permits for every 100 parking space.

6.82. The loss of on-street parking associated with the proposed widening of the crossover would therefore be contrary to Policy DP19.

6.83. Sustainability Plan

6.84. The Council requires development to incorporate sustainable design and construction measures (policy DP22). Any new residential development is expected to achieve a 19% reduction in carbon emissions from 2013 building regulations. The applicant has provided an Energy & Sustainability Statement. The sustainability measures including the 19% reduction in CO2 emissions should be secured by legal agreement.

6.85. Promoting a sustainable Camden is an integral element of the Council's planning policies. Core Strategy policy CS13 – 'Tackling climate change through promoting higher environmental standards' sets out a key part of the Council's overall approach to tackling climate change, which includes promoting higher environmental standards in design and construction.

6.86. A planning obligation is considered appropriate as there will be monitoring necessary to confirm that the relevant environmental measures have been implemented successfully and maintained during the life of the development.

6.87. *Compliance with CIL Reg 122*

6.88. The Council considers that securing the sustainability measures (by way of a sustainability plan) through an obligation under a legal agreement under section 106 of the TCPA 1990 complies with regulation 122 in that: the detailed sustainability requirements are necessary to make the proposed development acceptable (with reference to the Council's planning policies) in planning terms; the obligation would secure sustainability measures in respect of the proposed development and so would be directly related to the development; and the obligation would not require the developer to address an existing wider sustainability deficiencies, rather it would be fairly and reasonably related in scale and kind to the proposed development. The Council's firm view is that an obligation under section 106 would secure the detailed requirements (which provides the local planning authority and the appellant with certainty) to an extent which is not satisfactorily achievable by a planning condition.

6.89. Energy Efficiency Plan

- 6.90. The Council requires development to incorporate sustainable design and construction measures (policy DP22). Any new residential development is expected to achieve a 19% reduction in carbon emissions from 2013 building regulations. The Council also expects developments to achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation. The applicant has provided an Energy & Sustainability Statement.
- 6.91. The s106 Agreement will secure a reduction in carbon energy emissions through the incorporation of various measures in an energy efficiency plan (EEP). A planning obligation is also considered appropriate as there is additional monitoring work necessary to confirm that relevant environmental measures have been implemented successfully and maintained during the life of the development.
- 6.92. The Council's development plan identifies several policies that apply to this obligation, which are: CS13 (Tackling climate change through promoting higher environmental standards); CS16 (Improving Camden's health and well-being); CS19 (Delivering and monitoring the Core Strategy); DP22 (Promoting sustainable design and construction); DP23 (Water) and DP32 (Air quality and Camden's Clear Zone).
- 6.93. Core Strategy Policy CS13 identifies measures to minimise the effects of climate change, including by reducing carbon emissions from the redevelopment, and requires that the effects of construction and occupation of buildings are minimised by ensuring developments use less energy and generate renewable energy on-site. The supporting text to CS13 provides: "Buildings can also generate energy, for example, by using photovoltaic panels to produce electricity, or solar thermal panels, which produce hot water. Once a building and its services have been designed to make sure energy consumption will be as low as possible and the use of energy efficient sources has been considered, the Council will expect developments to achieve a reduction in carbon dioxide emissions of 20% 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".
- 6.94. *Compliance with CIL reg 122*
- 6.95. The Council considers that securing an EEP through an obligation under a legal agreement under section 106 of the TCPA 1990 complies with regulation 122 in that: the detailed requirements (as described above) are necessary to make the proposed development acceptable (with reference to the Council's planning policies) in

planning terms; the obligation would secure energy efficiency measures in respect of the proposed development and so would be directly related to the effects of the development; and the obligation is not requiring the developer to address an existing wider energy efficiency deficiency, rather it is fairly and reasonably related in scale and kind to the proposed development. The Council's firm view is that an obligation under section 106 would secure the detailed requirements (which provide the local planning authority and the appellant with certainty) to an extent which is not satisfactorily achievable by a planning condition.

6.96. Highways Contribution

6.97. The Council expects works affecting Highways to repair any construction damage to transport infrastructure or landscaping and reinstate all affected road and footway surfaces following development. The footway directly adjacent to the site could be damaged as a direct result of the proposed works. To allow the proposal to comply with Development Policy DP21, a financial contribution for highway works would be sought. A cost estimate (£4939.52) for highway works has been provided by the Highways Delivery Team and is included in appendix D. The highways contribution is required to be secured by legal agreement.

6.98. *Compliance with CIL reg 122*

6.99. The Highways Contribution is: (i) necessary to mitigate construction damage to the footway following the demolition and construction stage; (ii) directly relates to the construction stage of the proposed development; and (iii) is fairly and reasonably related in scale and kind to development in that it address relevant aspects of construction phase of the development as identified under the Council's development plan for developments of the nature proposed.

6.100. Construction Management Plan

6.101. The Council's primary concern is public safety but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. In addition, the proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality). The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area.

- 6.102. Impact on the highway network and immediate environment is likely during construction. Given the size of the proposed development the proposal is likely to represent a detrimental impact on the highway network during its construction period. This likely level of works is considered sufficient to require a Construction Management Plan (CMP) in order to mitigate any adverse impacts.
- 6.103. A planning obligation is considered to be the most appropriate mechanism for securing compliance with a CMP in this case simply because a considerable extent of the activity during construction could cause conflict with other road users or be detrimental to the amenity of the area and will necessarily take place outside the curtilage of the planning unit of the appeal site. Potential impacts for the proposed demolition/construction works which should be controlled by a CMP include traffic generation from removal and delivery of materials to the site. This could result in traffic disruption and dangerous situations for pedestrians and road users.
- 6.104. Under s72 of the Town and Country Planning Act 1990 planning conditions are used to control matters on land within the developer's control. However, a CMP is designed to be an enforceable and precise document setting out how measures will be undertaken not just on site but also around the site in order to minimise as far as reasonable the detrimental effects of construction on local residential amenity and / or highway safety on the nearby roads hence, using a condition to secure the type of off-site requirements usually included in a CMP would in this case be unenforceable.
- 6.105. Conditions can only lawfully be used to control matters on land within the developer's control. Many of the CMP provisions will relate to off-site requirements, particularly public highway (which is not land within the developers' control). As such, a Section 106 Agreement (rather than a condition) is the most appropriate mechanism. This is in accordance with Circular 11/95, where it states at Appendix B (7) as an example of an unacceptable condition, is one requiring loading and unloading and the parking of vehicles not to take place on the highway, as it purports to exercise control in respect of a public highway which is not under the control of the applicant.

Compliance with CIL reg 122

- 6.106. The CMP is: (i) necessary to mitigate against the adverse impacts of the construction stage; (ii) directly relates to the construction stage of the proposed development; and (iii) is fairly and reasonably related in scale and kind to development in that it address relevant aspects of construction phase of the development as identified under the

Council's development plan for developments of the nature proposed. Further, the CMP will ensure that the effects of construction are managed in an appropriate manner.

6.107. Car Capped

6.108. The site has a PTAL rating of 1b which indicates that the site has poor access to the public transportation network. The site also lies within a controlled parking zone (CA-S(a) CPZ) which operates between 12:30 and 14:30 Monday-Friday and has low parking stress. However parking stress is just one consideration and the Council's car free policy is about encouraging trips by sustainable modes of transport, encouraging active and healthy lifestyles, and improving air quality.

6.109. The proposal would retain 7 car parking spaces previously associated with the existing residential dwelling. The 7 car parking spaces would be provided at basement level and would be accessed by car lift. This meets our parking standards for low parking provision areas which require a maximum provision of 0.5 spaces per residential dwelling. As the scheme is a new development in an area of high on-street parking stress, the Council would expect it to be car capped (in accordance with policy DP18). A legal agreement under Section 106 ("s106") for car-capped development (with a maximum of 7 on-site car parking spaces) is therefore required to ensure that the development does not create additional parking stress and congestion. This is in accordance with policies CS11 (Promoting sustainable and sufficient travel); CS19 (Delivering and monitoring the Core Strategy); DP18 (Parking standards and availability of car parking); and DP19 (Managing the impact of parking).

6.110. Camden Planning Guidance CPG 7 Transport sets out when existing parking rights can be maintained. It states existing parking rights can normally be retained on development sites, where it can be demonstrated that existing occupiers are to return to the address when it is completed (paragraph 5.19). If a development is to have new occupiers, existing parking rights will not apply, and the Council will apply its car-free / car-capped policies as set out in Development Policies DP18 and DP19 (paragraph 5.20).

6.111. Policy T2(a) of the Camden Local Plan Submission Draft 2016 states the Council will 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. The inspector's report (dated 10th May 2017) on the Examination of the Camden Local Plan stated:

6.112. *Policy T2 requires all new development in the borough to be car-free. This approach is supported by evidence in the Council's Car Free Report (CD2.10) which identifies high levels of public transport accessibility in Camden, and good access to jobs and services. The Council's viability testing indicates that such development is deliverable. The approach is also in line with Policy 6.13 in the London Plan, which allows boroughs to determine their own standards based on specific circumstances, and to explore car-free housing in locations with high public transport accessibility (Paragraph 145).*

6.113. Significant weight is therefore attached to Policy T2.

6.114. A planning obligation is considered the most appropriate mechanism for securing the development as car capped as it relates to controls that are outside of the development site and the level of control is considered to go beyond the remit of a planning condition. Furthermore, the Section 106 legal agreement is the mechanism used by the Council to signal that a property is to be designated as "car capped". The Council's control over parking does not allow it to unilaterally withhold on-street parking permits from residents simply because they occupy a particular property. The Council's control is derived from Traffic Management Orders ("TMO"), which have been made pursuant to the Road Traffic Regulation Act 1984. There is a formal legal process of advertisement and consultation involved in amending a TMO. The council could not practically pursue an amendment to the TMO in connection with every application where the additional dwelling (or dwellings) ought properly to be designated as car free. Even if it could, such a mechanism would lead to a series of disputes between the council and incoming residents who had agreed to occupy the property with no knowledge of its car-free status. Instead, the TMO is worded so that the power to refuse to issue parking permits is linked to whether a property has entered into a "Car Capped" Section 106 Obligation. The TMO sets out that it is the Council's policy not to give parking permits to people who live in premises designated as "Car Capped", and the Section 106 legal agreement is the mechanism used by the Council to signal that a property is to be designated as "Car Capped".

6.115. Further, use of a Section 106 Agreement, which is registered as a land charge, is a much clearer mechanism than the use of a condition to signal to potential future

purchasers of the property that it is designated as car capped and that they will not be able to obtain a parking permit. This part of the legal agreement stays on the local search in perpetuity so that any future purchaser of the property is informed that residents are not eligible for parking permits.

6.116. *Compliance with CIL reg 122*

6.117. The proposed restriction on the development being secured as “car-capped” meets the requirements of the CIL Regulations in being: (i) necessary to make the development acceptable in planning terms as identified by the relevant development plan policies; (ii) is directly related to the occupation of the residential units being part of the development; and (iii) is fairly and reasonably related in scale and kind to the residential units. This supports key principle 4 of the National Planning Policy Framework: Promoting sustainable transport.

6.118. **Conclusion**

6.119. The subject property is an attractive residential building dating to the early 1900s and built in the Arts and Crafts style with large decorative brick chimney stacks and pitched tile roofs. The highly attractive attached two storey coach house allows important views of greenery and trees within rear gardens. The submitted Heritage Statement states that the proposed building has limited and essentially neutral contribution to the character and appearance of CA, however it is the Councils opinion that it positively contributes. This is noted within the CA appraisal and confirmed following additional assessment for this application.

6.120. The proposed building attempts to provide a mix of too many styles, materials and details seen within the CA. The storey heights and windows are out-of-scale and do not exhibit the design and proportions seen in the neighbouring houses. Along with its huge increase in footprint and associated bulk, height and mass, the proposed development would result in a building out of context and negatively impacting upon the character and appearance of the Redington Froggnal Conservation Area. The rear of the site would be highly compromised due to the loss of garden. The existing gap between 28 and 26 would be compromised due to the additional built form. This would impact on views in, out and through the CA and the loss of views of trees and greenery in the rear gardens would be harmful.

- 6.121. The replacement building taken together with the loss of the existing building would negatively impact upon the character and appearance of the CA and would not preserve or enhance it. The harm to the CA is considered to be less than substantial and the limited public benefits (provision of 8 flats) would not outweigh this harm. The development is therefore contrary to policy CS14, DP24 and DP25 of the Local Development Framework and policies D1 and D2 of the Camden Local Plan Submission Draft 2016 and paragraph 134 and 135 of the NPPF.
- 6.122. The size of the basement is considered to be disproportionately large and the applicant has not demonstrated the proposed basement would not cause harm to the built and natural environment and local amenity and would not result in flooding or ground instability contrary to policy DP27 Basements and lightwells and policy A5 of the Camden Local Plan Submission Draft 2016. In addition the development would harm the daylight and sunlight of the occupiers of 30 Redington Road, would result in the loss of on-street parking and has not demonstrated that trees would be harmed or that the development would not harm highway safety.

7.0 APPROPRIATE CONDITIONS

Planning permission

- 7.1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 7.2 The development shall be carried out in accordance with the following approved plans:

Existing drawings: JCA-RR-EX-: 001; 002; 003; 004a; 004b; 005; 011; 012; 013; 014; 019; 020; 021; 022; 023; 030; 031; (Revision PP4)

Demolition drawings: JCA-RR-DEMO-: 071; 072; 073; 074; 079; 083. JCA-RR-EX-: 080; 081; 082

Proposed drawings: JCA-RR-PR-: 001 PP4; 002 PP4; 003 PP4; 004A PP4; 004b PP4; 004a PP4; 006 PP4; 007 PP4; 008 PP4; 002 PP4A; 005 PP4A; 010 PP4B; 011 PP4B; 012 PP4B; 013 PP4B; 14 PP4B; 14 PP4B; 19 PP4A; 020a PP4; 020b PP4; 021 PP4A; 022 PP4; 023 PP4; 030 PP4; 031 PP4; 032 PP4; 033 PP4A; 034 PP4A; 040 PP4; 041 PP4; 050 PP4; 051 PP4; 052 PP4;

Supporting documents: Daylight and Sunlight Assessment (external) produced by Syntegra dated August 2016; Daylight and Sunlight Assessment (internal) produced by Syntegra dated May 2016; Energy and Sustainability Assessment prepared by Syntegra dated August 2016; Noise Impact Assessment prepared by Syntegra dated November 2015; SUDS calculations prepared by Mott MacDonald dated 22/4/16; Design and Access Statement produced by Jo Cowen Architects dated May 2016; Landscaping Strategy produced by Bowles and Wyer dated 19th April 2016; Heritage Statement prepared by KM Heritage dated May 2016; Planning Statement produced by Savills dated May 2016; Arboricultural Report prepared by Landmark Trees dated 13th May 2016; BIA Assessment prepared by Mott MacDonald dated July 2016; Transport Statement prepared by TTP Consulting dated April 2016; SUDS pro forma prepared by Mott MacDonald dated 22/4/16; Noise Impact Assessment - car lift compliance prepared by Syntegra dated July 2016; Bat Emergence/Re-entry Survey and Bird Scoping Report prepared by Greengage dated July 2016; Reptile Survey Report prepared by Greengage dated October 2016; Letter from Mott MacDonald dated 10th October 2016; Indicative construction timeframes.

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

- 7.3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:
- a) Details including sections at 1:10 of all windows (including jambs, head and cill), external doors and gates;
 - b) Manufacturer's specification details of all facing materials including windows and door frames and roof tiles (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site) with a sample panel of not less

than 1m by 1m demonstrating, the proposed colour, texture, face-bond and pointing of brickwork.

c) Typical details of new balustrades at a scale of 1:10.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 7.4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 7.5 The cycle storage area for 16 cycles hereby approved shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 7.6 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for the redevelopment for which the contract provides.

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

- 7.7 Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan March 2015, consolidated with alterations since 2011 and Camden Planning Guidance 2006 and policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 7.8 No impact piling until a piling method statement, prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works, has been submitted to and approved in writing by the local planning authority. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy.

- 7.9 All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (2).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 7.10 Prior to first occupation, the windows at 1st and 2nd floor level on the northwest elevation shall be obscure glazed as shown on the plans hereby approved and shall be retained as such.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

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

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 7.12 Before the use commences, the car lift shall be provided with anti-vibration measures in accordance with the 'Noise Impact Assessment - car lift compliance' prepared by Syntegra dated July 2016 hereby approved. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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

of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 7.13 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include:
- a) details of front landscaping to demonstrate that no cars can be parked on the hard standing

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

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS11 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP18 and DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 7.14 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

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

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May 2017

Appendix A

Report to the London Borough of Camden

by Katie Child BSc (Hons) MA MRTPI

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

Date 10 May 2017

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Camden Local Plan

The Plan was submitted for examination on 24 June 2016

The examination hearings were held between 18 and 25 October 2016

File Ref: PINS/X5210/429/12

Abbreviations used in this report

AAP	Area Action Plan
BIA	Basement Impact Assessment
BREEAM	Building Research Establishment Environmental Assessment Method
CAZ	Central Activities Zone
CIP	Community Investment Programme
DtC	Duty to Co-operate
GLA	Greater London Authority
GTAA	Gypsy and Traveller and Travelling Showpeople Accommodation Assessment
HMA	Housing Market Area
HMO	Houses in Multiple Occupation
HRA	Habitats Regulations Assessment
LDS	Local Development Scheme
MM	Main Modification
NPPF	National Planning Policy Framework
OAN	Objectively assessed need
PPG	Planning Practice Guidance
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance
SA	Sustainability Appraisal
SME	Small and Medium Sized Enterprises
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
WMS	Written Ministerial Statement

Non-Technical Summary

This report concludes that the Camden Local Plan provides an appropriate basis for the planning of the borough, provided that a number of main modifications (MMs) are made to it. Camden Council has specifically requested me to recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six-week period. In some cases I have amended their detailed wording. I have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Alterations to the strategic affordable housing target to take account of updated trajectory work.
- Amendments to the gypsy and traveller pitch target to reflect needs identified in the Council's evidence.
- Deletion of the requirement, as expressed in Policies H4, H6 and H11, for residential schemes of 0.5 hectares or more to provide an element of traveller accommodation.
- Amendments to criteria in Policy A2 relating to the protection and re-provision of open space, to bring it in line with national policy.
- Deletion of the requirement in Policy CC2 for residential conversions and extensions to meet 'excellent' BREEAM standard (Building Research Establishment Environmental Assessment Method).
- Deletion of specific restrictions relating to the development of new betting shops, payday loan shops and pawnbrokers, as expressed in Policy TC4.
- Deletion of specific restrictions relating to the development of hot food takeaways, as expressed in Policy TC4.
- Various other changes to ensure the Plan is up to date, internally consistent, justified, effective and consistent with national and local policy.

Introduction

1. This report contains my assessment of the Camden Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Camden Local Plan, submitted in June 2016, is the basis for my examination. It is the same document as that published for consultation in February 2016.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council has requested that I should recommend any main modifications (MMs) necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2**, **MM3** etc, and are set out in full in the Appendix.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs (document reference ED36) and carried out sustainability appraisal of them. The MM schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report, and in light of this I have made some amendments to the detailed wording of the main modifications. None of the amendments significantly alters the context of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as the Local Plan Policies Map and the Camden Local Plan Policies Map Alterations (CD1.3 and CD1.2).
6. The policies map is not defined in statute as a development plan document, and so I do not have the power to recommend main modifications to it. However, the Council has proposed a number of changes to the Policies Map to ensure it is effective. These further changes were published for consultation

alongside the main modifications (ED39¹). When the Plan is adopted, in order to give effect to the Plan's policies and comply with the legislation, the Council will need to update the adopted Policies Map to include the further changes.

Assessment of Duty to Co-operate

7. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council has complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
8. The Council has prepared a Duty to Co-operate (DtC) Statement (CD2.44) which sets out the nature of joint working which has been undertaken in the preparation of the Local Plan. The DtC Statement was published when the Plan was submitted for examination, and was not available when the submission draft plan was published for comment. However, the Statement is not specified as a proposed submission document in the Regulations². Furthermore, information on consultation was available at pre-submission stage, and I note that comments were received on DtC from a number of representors. Overall I am therefore satisfied that representors have not been unduly prevented from commenting on DtC as part of the legal compliance of the plan.
9. The DtC Statement describes various partnerships and groupings in which the Council participates. The Council has regular meetings with the Greater London Authority (GLA), and has a strong working relationship with other London boroughs through forums such as the Association of London Borough Planning Officers, Central London Forward and the North London Housing Partnership. Constructive engagement with neighbouring authorities and bodies prescribed in section 33A has also taken place at appropriate stages in the plan-making process, as well as with other partner organisations.
10. Housing is one of the key strategic matters on which the Council has sought to develop common approaches through cross-boundary working. Cooperation has mainly focused on work with other London boroughs and the GLA. However, as set out in the Mayor for London's Housing Supplementary Planning Guidance (SPG) (2016), the GLA has also undertaken engagement with authorities in neighbouring regions on cross-boundary strategic planning and coordination issues. This has included the sharing of data on demographic assumptions and out-migration in relation to housing needs. As a strategic planning body, and given the practicalities of engaging with numerous authorities outside London, I consider that the GLA is appropriately based to undertake cross-regional work in this regard.
11. No adverse comments or objections have been made by the GLA, London boroughs or other prescribed bodies on the basis of a failure to cooperate. I also note that none of the neighbouring boroughs has requested that Camden should accommodate any of their unmet housing needs. Concerns have been raised that the DtC has not been satisfied in relation to matters of air pollution and retail. However, I consider that these relate more to policy effectiveness, and accordingly are dealt with under the main issues below.

¹ Camden Local Plan Policies Map Alterations (November 2016).

² Town and Country Planning (Local Planning) (England) Regulations 2012.

12. In conclusion the evidence indicates that the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan. Therefore, overall I am satisfied that the Council has complied with the duty set out in section 33A of the 2004 Act.

Assessment of Soundness

Background

13. The Plan covers the whole of Camden borough. It has been prepared pursuant to the Mayor of London's London Plan (2016)³ and policies from this document apply to the Plan area where relevant. The GLA has confirmed that the Camden Local Plan is in general conformity with the London Plan, and I concur with this position.
14. The Local Plan sets out a strategy for the growth of the borough, and a range of policies that will be used to determine planning applications. The development plan also incorporates a number of other documents, including a Site Allocations document⁴, the Euston Area Plan and the Fitzrovia Area Action Plan (AAP). The production of separate documents is allowed under planning legislation. However, there is no reference in the Local Plan to the Council's intended update of the current Site Allocations document, following adoption of the Local Plan. Accordingly, I consider that modification **MM01** is necessary in the interests of clarity and effectiveness.

Main Issues

15. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified nine main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness, rather than responding to every point raised by representors.

Issue 1 – Does the overall growth and spatial strategy present a positive framework which is consistent with national and local policy and will contribute to the achievement of sustainable development?

16. Policy G1 provides an overarching framework to guide the delivery and location of growth in the borough. It sets out a clear strategy for promoting the efficient use of land, which is soundly based in the context of capacity limits in the borough. The locational strategy in the policy also seeks to focus growth in sustainable locations across the borough, in line with the spatial strategy in the London Plan.
17. The Council's evidence indicates that the Growth Areas in Camden are likely to be a significant source of future development. The Growth Areas are consistent with the Opportunity Areas and Areas for Intensification identified in Policy 2.13 of the London Plan, but also include Kentish Town Regis Road. The site is currently in low density employment use. However, the Council's

³ 'The London Plan – the spatial development strategy for London' Mayor of London (2016) as amended and incorporating the Minor Alterations dated March 2016.

⁴ Camden Site Allocations Local Development Document (2013) (CD3.7).

evidence indicates that there is capacity to facilitate higher density industrial provision alongside new housing, without unduly affecting the operation of businesses.

18. The Council's Community Investment Programme (CIP) is also identified as a key source of growth over the Plan period, and a source for additional affordable housing in Policy H5. Whilst I note some objections to CIP from local community groups, CIP is an established Council-led programme for generating funds for schools, community facilities and housing, including the regeneration of its housing estates. The programme is expected to deliver a substantial number of additional homes over the Plan period, as well as employment opportunities, school places and community facilities. Planning permission has already been granted on a significant number of sites, and other schemes are in the pipeline (ED13). As a major source of growth within the borough I consider that the references to CIP within Policy G1, including the Somers Town CIP, are justified.
19. A Neighbourhood Plan for Somers Town is currently being prepared and a draft for consultation was published in 2016. The Local Plan does not specify the number of houses or specific parameters or boundaries relating to the Somers Town CIP, and in this regard I am satisfied it provides a flexible broad framework against which a Neighbourhood Plan can be developed. I also note that the strategic priorities for the area, as referenced in the Local Plan, were developed in conjunction with the local community. Overall, I am satisfied that the CIP section of the Local Plan would not prejudice the preparation of the Neighbourhood Plan. Moving forward it will be important for the Council and the preparatory body⁵ to work closely together to ensure that the two plans support and complement each other.
20. Policy G1 also summarises Camden's objectively assessed needs for housing, employment and retail development over the Plan period. These specific growth requirements are considered within the relevant sections below.
21. Development and population increase inevitably results in some effects, for example an increase in traffic, the loss of a particular view or increased demands on local services. Nevertheless, there is a need for on-going development, and growth in Camden would facilitate benefits in terms of additional housing, affordable housing, jobs provision and community facilities. No fundamental infrastructure constraints have been identified by the Council or other service providers, and I note that the Council is engaged in proactive infrastructure planning to ensure that necessary infrastructure is secured and growth delivery is coordinated. The Local Plan itself also provides a wide range of policies which require impacts to be assessed and mitigated at planning application stage.
22. Overall, I am satisfied that the proposed growth strategy in the Local Plan is justified and sustainable, and that the Local Plan provides a positive framework for managing development.
23. In reaching this conclusion I have had regard to the issue of air quality and the effect that further development in the borough may have on existing levels

⁵ Somers Town Neighbourhood Forum.

of air pollution. Air quality is a key issue in Camden, and the whole borough is designated as an Air Quality Management Area for both nitrogen dioxide and particulate matter. The Council recognises its responsibilities and is working in partnership to address emissions through a range of actions and mitigation measures identified in the Camden Air Quality Action Plan and the Mayor's Air Quality Strategy. The Local Plan itself includes Policy CC4 which requires development to be air quality neutral in line with Policy 7.14 in the London Plan, and contains a range of other policies⁶ that should provide mitigation. Overall I consider that the Local Plan, in conjunction with other initiatives and cross-partnership working, provides a suitable framework for dealing with air quality.

Issue 2 – Are the housing requirements in the Plan justified, deliverable, in general conformity with the London Plan, and in line with national policy? Have the needs of particular groups, and affordable housing needs, been satisfactorily assessed and addressed within the Plan?

Overall housing requirement and delivery

24. The Camden Local Plan needs to be in general conformity with the housing requirements in the London Plan. Policy 3.3 in the London Plan (2016) identifies minimum housing supply targets for London boroughs, with the target for Camden being 889 dwellings a year. However, there is a significant gap between the London-wide requirement of 49,000 dwellings a year and aggregate borough level targets which identify annual capacity for only 42,000 dwellings. Therefore the Local Plan is also expected to demonstrate how the minimum target can be exceeded.
25. The NPPF states that local plans should meet the full objectively assessed needs (OAN) for market and affordable housing in the housing market area (HMA), as far as is consistent with its policies. However, overall need in London has been assessed on the basis of one HMA by the GLA, as informed by the London-wide Strategic Housing Market Assessment (2013) (London SHMA) and Strategic Housing Land Availability Assessment (2014) (London SHLAA).
26. Policy H1 in the Camden Local Plan indicates that the Council will seek to achieve provision of at least 16,800 additional homes between 2016/17 and 2030/31. This equates to about 1,120 dwellings a year and therefore exceeds the London Plan minimum target for Camden of 889 dwellings a year.
27. The housing target in Policy H1 has been informed by the Camden SHMA (2015) which identifies OAN for an additional 16,800 dwellings in the borough over the Plan period. The Camden SHMA's general OAN methodology appears to be robust and in line with guidance in the PPG (Planning Practice Guidance), and at the hearing there was general acceptance of the use of the GLA's 2014-round long-term scenario as the demographic starting point. The methodology incorporates an uplift of 20% to take account of market signals, which is proportionate in the context of high house prices in the borough.

⁶ Including Policy CC1 (energy use), Policy CC2 (sustainable construction), Policy T2 (car-free development), Policy T1 (walking, cycling and public transport), and Policy A2 (open space).

28. The Camden SHMA was jointly commissioned with the London Borough of Islington. At the hearing the Council confirmed that the Islington section of the document has yet to be published, but is based on the same broad methodology. Both boroughs lie in the Inner North London Broad Rental Market Area. The Council's evidence shows that there are strong synergies between the rental market in Camden and Islington, including significant numbers of residential moves between the two boroughs.
29. The Council's updated housing trajectory (ED36) identifies expected delivery of 17,116 homes over the Plan period. Although the Local Plan does not allocate new sites, there is a sizable estimated supply from outstanding allocations and CIP schemes. The estimates do not incorporate a non-implementation or discount rate for specific sites. Nonetheless, there may be some potential for additional supply from higher density development, intensification and windfall sites, as highlighted in the Plan. Accordingly, and having regard to the progress which has been made in delivering development in Growth Areas and allocation sites, I consider that there is persuasive evidence to suggest that the housing target of 16,800 would be met over the Plan period.
30. Since the Camden SHMA was produced, updated population and household projections have been published by the Office for National Statistics and the Department for Communities and Local Government. The GLA has also produced 2015-round long term population and household projections. The Council has calculated that if the latest projections are incorporated, OAN in Camden would increase to 18,700 dwellings over the Plan period, equating to 1,250 dwellings a year.
31. However, the on-going review of the London Plan and SHLAA will provide an opportunity to re-assess the latest projections and the distribution of growth between boroughs and potentially adjoining areas, linked to capacity. The target of 16,800 also represents a significant increase on past delivery, and is higher than the minimum London Plan target for Camden. There is also no substantive evidence that supply from other sources would be of a sufficient scale to meet a higher target of 18,700 dwellings. In this context I consider there would be little merit in adjusting the Council's overall housing target.
32. The updated trajectory (ED36) shows that there would be sufficient supply of housing in the first five years to meet requirements arising from the overall target of 16,800 dwellings, and those linked to an adjusted OAN, including the 5% buffer sought by the NPPF. The analysis indicates that there would be more than 7,100 additional homes over the five year period, clearly exceeding the adjusted target of some 5,880 dwellings. However, modifications are needed to the supporting text in the Local Plan (**MM06**) to reference the updated five year supply calculations.
33. In summary, the evidence suggests that the overall housing target in the Local Plan is robust and deliverable. As established above, there is no firm evidence before me that other London boroughs require Camden to meet any of their unmet housing needs. The anticipated provision in Camden would significantly exceed the minimum borough target in the London Plan, and make a sizable contribution to housing delivery across London as a whole. As such I consider it is in general conformity with the London Plan. Nevertheless, for reasons of clarity and effectiveness I consider that the Council's updated housing

trajectory should be included in the Plan (**MM92**), with reference to the updated trajectory figures in supporting text (**MM06**).

Targets for self-contained housing and student accommodation

34. In order to be effective, it is important that the Plan establishes a clear definition of self-contained housing. Accordingly, I recommend that the definition in the Plan is expanded to clarify that the Council defines self-contained housing as homes where all the rooms are behind a door that only one household can use, covering Use Class C3, and in some cases Use Class C4 and live-work units (**MM05, MM07**).
35. Policy H1 in the Local Plan includes a sub-target of at least 11,130 self-contained homes to be provided over the Plan period. Policy H9 also includes a minimum target of 2,400 additional places in student accommodation, which broadly equates to bedspaces. The Council has indicated that the residual gap of about 3,000 dwellings against the overall housing target of 16,800 units could be provided in the form of either self-contained dwellings or student accommodation.
36. The Local Plan's priority is for self-contained housing. In this context it has been questioned whether the self-contained target is too low and should be increased. However, the Council's updated housing trajectory work (ED36 and ED16) indicates that a significantly higher number of self-contained homes are likely to be delivered over the Plan period than the minimum target of 11,130 units. There is also no firm evidence before me that the scale of student housing or other forms of non-self-contained housing likely to come forward would be sufficient to fill the residual gap. On this basis I consider that the adjustment of the self-contained housing target is not necessary for soundness reasons.
37. The student housing target is not specifically required in the London Plan. Nonetheless, I consider that its inclusion would help to ensure that the accommodation needs of students are met. Student growth also forms part of the household projections on which the Council's overall housing target is based.
38. The student accommodation target is based on bedspaces rather than units. However, the Council's evidence on completions shows that a significant proportion of dedicated student accommodation is provided in the form of studios, and therefore in some schemes/buildings one unit equates to one bedspace. The use of bedspaces is also in line with the London Plan and the Mayor for London's Academic Forum's assessment of student accommodation needs.
39. The minimum target of 2,400 student housing places is based on estimated London needs identified by the Mayor's Academic Forum, sub-divided on the basis of the current proportional share of London students living in Camden and projected forward over the Plan period. The methodology is simplistic, but in general terms I am satisfied that the approach broadly accords with the Mayor's strategy for the dispersal of students in the London Plan. The Council's evidence (ED16) demonstrates that this minimum target is capable of being delivered over the Plan period, with a degree of flexibility for additional provision.

40. Overall I consider that the sub-targets in Policy H1 and Policy H9 provide a suitable framework for delivering self-contained housing and student accommodation. However, in order to provide clarity, modifications should be made to the supporting text to Policy H9 to include updated student accommodation delivery estimates **(MM32)**.

Maximising the supply of self-contained housing

41. Policy H1 identifies self-contained housing as the Council's priority land-use, and sets out a strategy to maximise its supply. In the context of the high level of housing need in the borough I consider this approach is justified. The Plan contains a wide range of other policies which seek to protect and/or provide other land uses or key assets, such as employment and open space. I am therefore satisfied that the Plan overall facilitates a proportionate approach, whereby the need for self-contained housing can be balanced against other requirements.
42. The proposed density range of 45 to 405 dwellings per hectare should help to maximise supply, and is justified by the high level of housing need and transport connectivity in the borough. It is proposed as a guide only, and the supporting text to Policy H1 clarifies that the London Plan density matrix (table 3.2) will be applied flexibly, taking into account local character. The Council is also committed to tackling the issue of unoccupied new homes, and is working with the GLA and other boroughs to establish a London-wide approach.
43. Policy H2 requires 50% of additional development floorspace in selected town centres and the Central London Area to be self-contained housing. The Council's viability work⁷, allied with evidence of recently completed schemes, indicates that this level of provision is deliverable across a range of locations and types of sites. Viability is not demonstrated in central London and the King's Cross area on high value office sites. However, the policy requirement would be subject to financial viability. There are other sites in the Central London Area which have lower use values and can support mixed-use development, and I therefore consider that a general exemption for central London is not necessary or appropriate.
44. The Council's viability work employs a standard residual land value methodology. The applied assumptions are based on local evidence and appear appropriate for a generic assessment of this nature. The supporting text to Policy H2 also confirms that viability and other considerations including the historic environment would be taken account in negotiations.
45. The threshold of 200 square metres (sqm) has been queried by representors, both in terms of scale and its application to any size of building. However, 200 sqm broadly allows capacity for a single self-contained home and a commercial unit. Furthermore, the threshold and 50% target are contained in the Council's current Core Strategy, and commercial schemes have continued to come forward.
46. Overall the evidence suggests that the general approach in Policy H2 is deliverable and justified, and incorporates some flexibility. Nevertheless, I

⁷ Camden Financial Viability Study (2015) (CD2.19).

consider that key elements of the policy, as currently expressed, are unclear and imprecise. The policy does not adequately clarify the geographical application of the approach, or whether 50% or up to 50% self-contained housing is sought. I also consider that the policy should be clearer regarding the circumstances when self-contained housing may be sought and provision made off-site. Accordingly I recommend modifications to the policy and the supporting text in order to aid effectiveness and clarity (**MM08, MM09, MM10, MM11, MM12, MM13**). In MM10, at the start of new paragraph 3.46A, I have slightly amended the wording put forward in the Council's published MMs (ED36) to clarify that the list is not exhaustive.

47. For reasons of effectiveness, I also consider that reference to the Knowledge Quarter should be included through modification **MM13**, given the importance of this area as a focus for economic growth, albeit recognising that it has a mix of uses.

Deferred contingent contributions

48. Policies H2 and H4 propose the use of deferred contingent contributions in cases where low amounts of self-contained or affordable housing have been secured at application stage for viability reasons. The policy wording indicates that this should take place 'prior to completion.'
49. Policy 3.12 in the London Plan refers to this re-appraisal taking place 'prior to implementation'. However, the Council's evidence shows that deferred contributions at or close to practical completion have been successfully secured in Camden on a range of different sized schemes, and for phased and non-phased development. The approach is also in line with guidance in the Mayor's Draft Affordable Housing and Viability SPG (November 2016) (CD5.21) insofar as it relates to schemes of 11 or more units, and the London Borough's Development Viability Protocol (November 2016) (CD5.22). These documents refer to reviews taking place at a 'later stage' taking account of values achieved, and acknowledge practical issues which may mean that financial contributions rather than units are sought.
50. Additional contributions would be linked to viability and on this basis would not cause significant harm in terms of scheme delivery. There is a cost associated with the actual re-appraisal process and analysis of data. However, this is likely to be modest and would form a small proportion of overall scheme costs.
51. Overall I therefore consider that the Council's proposed approach to deferred contingent contributions is justified, proportionate and would not place an unnecessary burden on developers. In reaching this conclusion I have had regard to several appeal decisions highlighted by representors. Nonetheless, the use of the deferred contingent approach is established in the London Plan, and in any event, each scheme needs to be assessed on its own merits. In the context of high sales values and price rises in Camden, I consider it represents a positive approach that could increase the supply of housing and affordable housing, and support Local Plan and London Plan objectives in this regard.

Protecting existing homes

52. Policy H3 resists the loss of existing residential floorspace. The supporting text confirms, however, that some flexibility would apply, and that the key issue is whether it affects the number of people who can occupy a dwelling.
53. The policy allows the net loss of one home. However, this approach allows two dwellings to combine into one larger unit, and as such would contribute to the identified need for additional family sized dwellings in the borough. On this basis, and having regard to the small number of single dwellings typically lost, I consider the Council's approach is justified and pragmatic.

Affordable housing

54. The strategic affordable housing target of 5,565 dwellings, as set out in Policy H4, is based on capacity estimates in the London SHLAA (2011). However, the Council's updated trajectory work (ED19) indicates that about 5,300 affordable units are likely to be delivered in Camden over the Plan period. The figure does not include the total estimated supply from small windfall sites, and therefore incorporates some flexibility to deal with the potential non-delivery of specific sites. As such, and taking account of the Council's viability work and other factors established in Policy 3.11 in the London Plan, I consider that a modified strategic target of 5,300 units is necessary and justified **(MM14, MM20)**. Modification **MM14** also corrects an error in the listed Plan period.
55. The strategic affordable housing target is significantly lower than the need for about 10,000 affordable housing homes in the borough over the Plan period, as identified in the Camden SHMA. Nevertheless, as described above, the modified strategic target has been informed by analysis of capacity linked to viability work. As an inner London borough there are capacity constraints. The Local Plan does not make provision to meet the full needs for affordable housing, but it would not be realistic for it to do so. I also note that the methodology employed in the Camden SHMA is based on affordable housing forming a component of the full OAN for housing, and does not capture all existing households in need who currently live in other forms of tenure. If the latter approach was taken the level of identified affordable housing need in Camden would be higher.
56. Policy H4 proposes a threshold of 1 or more units for seeking affordable housing in connection with residential development schemes in the borough. However, national policy, as established in the Written Ministerial Statement (WMS) dated 28 November 2014, states that a threshold of 11 or more units should apply. Having regard to the Court of Appeal judgement⁸ I have considered whether local circumstances may justify lower thresholds as an exception to national policy.
57. The Council's evidence shows good rates of small site delivery, with about 41% of additional self-contained homes completed on schemes of less than 10

⁸ Secretary of State for Communities and Local Government v West Berkshire District Council and Reading Borough Council CI/2015/2559 [2016] EWCA Civ 441.

dwellings between 2005 and 2015. This represents a total of 2,412 homes on 1,056 sites⁹, with an average of 241 homes delivered per year.

58. The Council predicts a similar rate of small site delivery in the future, which I consider is reasonable given market buoyancy and high prices. However, the future estimated rate has been adjusted to exclude a number of schemes with less than 100 sqm floorspace, as Policy H4 is based on a capacity assessment whereby 100 sqm of floorspace is considered to create capacity for one home. This reduces the estimated future rate to 217 dwellings per year, from schemes of 1 to 9 units. This would be applied over the 11 year period 2020/21 to 2030/31, with existing small site permissions assumed to be built out in the early part of the Plan period. The Council's evidence also indicates that an additional predicted supply of 10 units per year could come forward from sites of 10 units.
59. The evidence indicates that small site delivery will be sizable and form a significant proportion of the total supply of self-contained units. The Council's evidence shows that application of a threshold of 1+ units, based on the proportions in Policy H4, would generate an additional £53 million or so through payments in lieu, equating to 268 additional affordable homes over the Plan period. This is based on a comparison with a threshold of 10 or more units, which is the general level recommended in Policy 3.13 in the London Plan. If future delivery from sites of 10 units is included, the amount of contributions and affordable homes delivered from small sites would be greater.
60. The Council's evidence indicates that a significant proportion of payments in lieu would be allocated to CIP schemes already in the pipeline, where full funding sources have not been identified. On this basis I am satisfied that, despite scarce land resources in Camden, the delivery of additional off-site affordable units elsewhere could be facilitated. Furthermore, as the Council's strategic affordable housing target is based on estimated supply from large committed sites, the delivery of funds from small sites could help the Council to meet its target.
61. As established above, the Council's evidence shows that the likely delivery of affordable housing in the borough over the Plan period will fall significantly short of needs identified in the Camden SHMA. Whilst this is not a situation which is unique to Camden, there are particular constraints regarding options to increasing housing delivery. Camden is located in inner London and its built-up areas are densely developed. As such the options to allocate additional greenfield land within or on the edge of the borough are extremely limited. The borough also does not contain large surplus industrial areas that would facilitate additional housing delivery. In this context I consider it is vital to maximise opportunities for the delivery of affordable housing on sites that do become available.
62. The WMS indicates that it aims to tackle the disproportionate burden of developer contributions on small-scale developers, custom and self-builders. Policy H4 proposes a sliding scale of affordable housing delivery, whereby

⁹ This excludes sites where net loss and no unit gains were recorded.

contributions in lieu sought in association with small schemes would involve modest amounts. For example, a scheme of 1 unit would trigger a requirement for 2% affordable housing, equating to a payment in lieu of about £11,000. In this regard the approach recognises the importance of reducing the burden on small developers, and adjusts requirements accordingly. The sums involved also appear modest in the context of high land values and the average price of over £990,000 for a new build home in Camden¹⁰. The Council's evidence also states that the sliding scale was established in order for targets to be achieved in most cases without recourse to viability testing, recognising that this creates significant administrative costs for both developers and the Council.

63. The Council's viability report (CD2.19) and post-hearing note (ED20) shows that the delivery of small schemes in Camden would not be jeopardised by affordable housing contributions at the rates proposed in Policy H4. Policy H4 also establishes a flexible approach, whereby criteria such as the character of the site, site constraints, and the economics and financial viability of the development would be taken into account when negotiating planning obligations. Furthermore, payments in lieu, particularly once completion has taken place, could be less onerous in terms of cash flow and scheme viability than seeking completed units.
64. As national policy I attach significant weight to the WMS and the need to tackle disproportionate financial burdens for small-scale developers. Nonetheless, taking account of the above factors, I consider that there are local circumstances in the case of Camden which, taken as a whole, fully justify a lower affordable housing threshold. There are options relating to the threshold, which the Council has explored. However, having regard to the above factors and the significant proportion of units predicted on small-scale schemes, I consider that a threshold of 1 unit would make a significant contribution to the delivery of affordable housing to meet identified needs, and accordingly is justified. The GLA supports the Council's approach.
65. Overall, having carefully weighed up the issues, I am satisfied that there are specific local circumstances in the case of Camden to justify a departure from national policy, and to support the proposed threshold of 1 or more units. Nevertheless, modifications to the supporting text through **MM21 and MM23** are necessary to provide an update on the national policy position.
66. Policy H4 seeks affordable housing on sites of 25 or more dwellings, with decreasing amounts for smaller developments. The Council's viability testing indicates that the proposed proportions are deliverable across a range of locations and types of sites, notwithstanding the issues relating to high value office sites, as previously referenced. The Council's completions evidence also shows recent strong rates of affordable housing delivery.
67. I therefore consider that the proportion of affordable housing sought through Policy H4 appears justified and capable of delivery. As referred to above, the policy also incorporates some flexibility whereby a range of factors can be

¹⁰ Land Registry for the period February 2015 to February 2016.

taken into account in negotiations on the scale and nature of affordable housing provision.

68. The policy establishes that the proportion of affordable housing sought should be based on development capacity, whereby 100 sqm is considered to provide scope for one home. This threshold allows a large three bedroom affordable property to be secured, in line with identified needs for family housing and priorities in the London Plan. The policy seeks to generally apply this rate, but indicates that any constraints on capacity will be taken into account, for example, associated with a listed building.
69. In some instances a single unit scheme could comprise less than 100 sqm, but the policy does not specify how this would be dealt with. Modifications are therefore necessary to clarify that affordable housing contributions are required from schemes of one or more additional homes which involve at least 100 sqm of additional floorspace (**MM15, MM21**). Linked modifications are also necessary to the supporting text to clarify the Council's development capacity approach and how partial multiples of 100 sqm would be dealt with (**MM21, MM22**). The wording of MM22 in the Council's published Main Modifications, relating to paragraph 3.105, states that payments in lieu may be accepted on sites with capacity for 10 or less dwellings. I have amended this to refer to 'fewer than 10 dwellings' in order to ensure consistency with Policy H4 criterion h and paragraph 3.108.
70. Modification **MM17** clarifies that detailed information on affordable rent tenures sought in Camden would be provided in an accompanying supplementary planning document (SPD). This is important given the differences in viability arising from each type of housing. Other details on the operation of Policy H4 would be included in SPD, including information relating to payments in lieu.
71. Policy H10 seeks to secure new Houses in Multiple Occupation (HMOs) as low cost housing, or the provision of an element of affordable housing. Land and sales prices in Camden are high, and there are identified affordability issues in the borough. The Council's Local Plan Financial Viability Study (2015) shows that both general housing (Use Class C3) and student housing can support an element of affordable housing. Taking account of the above, and the in-built flexibility in Policy H4 regarding negotiations, I am satisfied that the Council's approach is justified and deliverable.

Housing choice and mix

72. Policy H6 includes a requirement that 90% of homes in new development should comply with optional Building Regulation M4(2) relating to accessible/adaptable homes, and 10% with M4(3) relating to wheelchair user dwellings. These provisions are consistent with updated Policy 3.8 in the London Plan. They are also supported by viability testing undertaken through the Minor Alterations to the London Plan¹¹ which shows that base costs would only increase by modest amounts and represent a minimal cost in terms of overall scheme appraisals.

¹¹ GLA Housing Standards Review Viability Assessment (2015) (CD5.7).

73. Additional text is necessary to explain how partial numbers arising from the application of 90% and 10% to development schemes would be dealt with **(MM28)**. This detail on rounding up, along with clarification that wheelchair user housing would accordingly only be sought from schemes of six or more dwellings, is necessary for reasons of effectiveness.
74. The PPG states that Local Plan policies which provide enhanced accessibility or adaptability should only do so by reference to the optional Building Regulations. Criterion d in Policy H6 is contrary to national policy, as it seeks to impose other requirements where full Building Regulations requirements cannot be secured. Accordingly, I recommend the deletion of text and related amendments for soundness reasons (**MM25, MM27** and relevant sections of **MM28**).
75. Regulations relating to the provision of starter homes have yet to be published, following enactment of the Housing and Planning Act. Supporting text to Policy H6 should accordingly be modified to refer generally to the Act and forthcoming Regulations, and to remove the specific references relating to the cost of starter homes and their precise role (**MM29, MM30**). For the same reasons, modifications are necessary to supporting text to Policy H4 (**MM18, MM19**).
76. The NPPF states that local planning authorities should plan for the needs of different community groups, including older people. This is addressed in Policy H8, and specific parts of Policy H6 which require provision for particular housing needs on sites of 0.5 hectares (ha) or more, and accessible homes.
77. Policy H7 seeks the provision of different size dwellings to meet local needs. It establishes a flexible approach which involves taking a wide range of factors into account, including the character of an area.

Traveller accommodation

78. National policy, as set out in Planning Policy for Travellers Sites (2015), requires that local authorities should set pitch targets for gypsies and travellers and plot targets for travelling showpeople which address likely accommodation needs in their area.
79. The Council's Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (2014) (CD2.3) (GTAA) identifies a need for an additional 16 gypsy and traveller pitches in Camden between 2013 and 2031. Policy H11 in the Local Plan, however, establishes a need for between 9 and 16 pitches over this period.
80. The Council has indicated that this difference is based on changes in the national definition of gypsies and travellers since production of the GTAA, which now excludes those who have permanently ceased to travel. However, at the hearing the Council confirmed that no further survey work on the local gypsy and traveller population has been carried out. The Council has highlighted recent studies elsewhere which have suggested that fewer travellers now meet the updated national definition. Nevertheless, there is no evidence before me that these figures are necessarily applicable in Camden. I therefore consider that the pitch targets in Policy H11 are not adequately justified or evidenced. Accordingly modifications are needed to remove the

minimum range-based figure, and base the target on the overall need figure in the GTAA (**MM33, MM35, MM36**). Future updates of the GTAA will provide an opportunity to review the pitch targets.

81. The Council is taking a proactive approach to meeting the accommodation needs of gypsies and travellers, and has started the process of identifying and reserving Council-owned sites for this purpose. The forthcoming review of the Council's Site Allocation document will provide an opportunity to identify further traveller sites, and demonstrate that pitch targets and a five year supply of pitches can be met. The phasing targets in Policy H11 differ slightly to those recommended in the GTAA, with fewer pitches sought up to 2021. However, this is based on the fact that part of the assessment period has already passed, and the Council's Site Allocation document is not due to be adopted until 2018.
82. Policy H11 does not establish a target for additional travelling showpeople plots. This approach is supported by evidence in the GTAA which identifies the small size of the local community and a sufficient supply of plots over the Plan period to meet identified needs. If windfall schemes come forward for either plots or traveller pitches, criteria in the policy will enable proposals to be adequately assessed.
83. The requirement for general residential schemes of 0.5 ha or more to provide an element of traveller accommodation appears in Policies H4, H6 and H11. However, the Council has indicated that pitch supply in the short-term is likely to come forward on Council-owned land, and beyond this from sites identified in the forthcoming Site Allocations document. It is therefore not clear whether this additional requirement is necessary. There is also no firm evidence that the development industry would be willing to engage in the process via windfall sites, and in this context there could be associated risks to overall housing delivery. Accordingly, I consider that this provision should be deleted from the three policies through modifications **MM34, MM37, MM16, MM24, MM26, MM31**.

Conclusion on Issue 2

84. Overall I conclude that, subject to the above main modifications, the Plan sets out a positively prepared strategy for delivering housing development to meet identified needs, which is justified, effective, in general conformity with the London Plan, and consistent with national policy.

Issue 3 – Does the Plan set out a positively prepared strategy and policies for the delivery of economic development and jobs, which are justified, effective and consistent with national and local policy?

85. Policy E1 and Policy G1 reflect the findings of the Camden Employment Land Study (2014) (CD2.12) which identifies need for an additional 695,000 sqm net of office floorspace between 2014 and 2031. At the hearing the Council indicated that, as at April 2016, a total of about 25,000 sqm had been completed and some 380,000 sqm of floorspace had outstanding planning permission. Additional delivery of 180,000 to 280,000 sqm is anticipated at Euston. This amount of floorspace will take a number of years to build out.

However, recent permissions point to some buoyancy in the market, and overall I consider the target is deliverable over the Plan period.

86. Policy E2 allows the loss of employment land where it can be demonstrated that premises/sites are no longer suitable and no longer needed for continued business use. The approach is pragmatic and flexible, includes recognition of the condition of buildings, and is in line with the NPPF. Existing businesses may experience difficulties in finding alternative suitable premises, and the Council's evidence highlights a particular need to retain industrial and warehouse uses which support the functioning of the Central Activities Zone (CAZ). As such I consider that the two year marketing period and the emphasis on retaining businesses on-site is justified. The emphasis on the retention of small premises is also justified, given that small and medium sized enterprises (SMEs) employing less than 20 people are the main growth sector in Camden.
87. Policy E2 also allows higher intensity redevelopment of employment sites where the amount of employment floorspace is retained/increased, and other criteria are met. The efficient use of land is in line with policy in the NPPF, and there is no evidence that the approach would unduly affect the supply of land needed in the borough for industrial purposes. The use of employment floorspace is a standard approach and allows authorities to monitor supply against land use needs. Job numbers are referenced in the supporting text as one of the relevant factors that will be taken into account.
88. At the hearing the Council confirmed that this approach would apply to the Kentish Town Industry Area, as well as other business premises/sites across the borough. The Council's evidence indicates there is scope for intensification in parts of the Industry Area whilst retaining the same level of employment floorspace.
89. The requirement for higher intensity redevelopment schemes to include an element of affordable managed workspace for SMEs is justified in the context of the high level of SME growth in the borough, as outlined above. The approach has already been successfully implemented in Camden and a number of other London boroughs, and is an example of positive planning in the context of rising rents and pressures on existing commercial premises from increasing residential land values and other factors. Criterion f also specifically states that affordable managed workspace would only be sought where it is viable. The suggested threshold of 1000 sqm is proportionate as it relates to large-scale major development which is likely to be more capable of supporting an element of affordable managed workspace.
90. Overall I consider that the main part of Policy E2 provides an appropriate level of flexibility which allows scope for some redevelopment whilst protecting employment floorspace which is needed to support business needs and jobs growth in the borough. Nevertheless, in order to be effective, I have recommended a number of modifications, including naming the Industry Area in Policies E1 and E2 (**MM48, MM49, MM54**), confirmation that criterion h is not a requirement in the Industry Area (**MM54**), and alterations to align criteria d and e with the supporting text (**MM50, MM52**). Further details regarding the definition of affordable managed workspace, trigger points and the extent of provision sought are also necessary (**MM53**).

91. Policy E2 seeks to protect the important historic cluster of jewellery manufacture and trading in Hatton Garden, in the context of development pressures and rising rents in the area. However, for reasons of effectiveness modifications are required to clarify the definition of affordable premises (**MM55**) and that '50%' rather than 'up to 50%' additional floorspace would be sought as affordable premises (**MM51, MM55**).
92. Policy E3 seeks to support tourism development and visitor accommodation in Camden. Modifications are necessary to make it clear that large-scale tourism development would be encouraged rather than required to provide training and employ Camden residents (**MM56**), in line with the approach in the supporting text. The definition of large-scale development in the supporting text also needs to be clarified (**MM57**).

Conclusion on Issue 3

93. Overall I therefore conclude that, subject to the above main modifications, the Plan sets out a positively prepared framework for the delivery of economic development and jobs which is justified, effective and consistent with the London Plan and national policy.

Issue 4 – Are the policies relating to community health and well-being positively prepared, justified, effective and consistent with national and local policy?

94. Policy C2 seeks to protect existing community facilities and ensure provision to meet local needs, in line with Policy 3.16 in the London Plan. The policy is pragmatic, however, and the loss of community facilities is permitted in certain circumstances. In order to be effective, modifications are necessary to clarify that where loss of community facilities is permitted, the Council will seek to maximise affordable housing provision within the standard framework provided by Policy H4 (**MM41**). Modification **MM39** is also required to clarify that replacement facilities should meet the needs of current or intended users, as well as the local population.
95. Policy C2 plans positively for new community facilities to support development in the borough, through the use of Community Infrastructure Levy (CIL) monies and Section 106 agreements. However, modifications **MM38, MM40** are necessary to clarify that CIL monies may be pooled and redistributed.
96. The borough has a wide range of cultural and leisure facilities and several important clusters of cultural activities, including Camden Town and part of the West End theatre district. In this context I consider the general strategy in Policy C3 to protect such facilities is justified, and the absence of a recent borough-wide study on cultural facilities is not critical. The criteria in the policy are fair and balanced, cover relevant planning considerations and are clearly expressed. However, modifications are required to clarify that the policy seeks to protect all cultural and leisure facilities (**MM42, MM44**), and that replacement facilities may be appropriate either on-site or elsewhere (**MM43, MM45**).

97. Policy C4 seeks to avoid the loss of public houses and includes a set of criteria which proposals need to satisfy. The approach to Assets of Community Value is in line with its status as a material consideration¹², and the requirement to erect sales boards would help to ensure that the local community is alerted. However, additional flexibility is required to deal with a scenario where, for example, a public house has community value but is not viable, and where change of use may therefore be acceptable. Accordingly, the insertion of options and amendment of text is necessary to ensure the policy is effective **(MM46)**. I also consider that reference to a five year trading period should be removed, as the key issue is whether other suitable operating models could be successfully applied **(MM46, MM47)**.

Conclusion on Issue 4

98. Overall I therefore conclude that, subject to the above main modifications, the Plan's policies in respect of community health and well-being are positively prepared, justified, effective and consistent with national and policy.

Issue 5 – Are the policies for protecting amenity positively prepared, justified, effective and in line with national and local policy?

Open space

99. Policy A2 identifies broad categories of open space in the borough, and proposes different approaches to their protection and enhancement. The policy seeks to protect 'designated' open spaces, whilst land greater than 400 sqm on Council housing estates is safeguarded, albeit allowing some flexibility for re-configuration. The policy states that 'non-designated' open spaces with nature conservation, townscape and amenity value will be protected where possible.
100. The Council's Open Space, Sport and Recreation Study (2014) (CD2.5 and CD2.6) does not include an analysis of all open spaces or clarify how the designated ones were selected. However, it shows that the designated open spaces have high value and perform a range of functions. The Council has confirmed that in many cases the designations date back to the 1970s and 1980s, and the sites have therefore been established as protected open spaces for a considerable period.
101. However, the overall approach in Policy A2 is not consistent with national policy on the protection of open space. Paragraph 74 in the NPPF states that existing open space, sports and recreational building and land, including playing fields, should not be built on unless it can be demonstrated to be surplus to requirements, it would be replaced by an equivalent amount and quality of open space, or alternative sports and recreational provision is proposed that would outweigh loss. Policy A2 does not reference any exceptions in relation to designated open spaces, and does not explicitly protect open spaces less than 400 sqm on housing estates. Furthermore the policy does not require the provision of equivalent or better quantity and quality of open space arising from the reconfiguration of housing estates, and only seeks to protect non-designated open spaces 'where possible'.

¹² WMS dated 26 January 2015.

102. Modifications are therefore necessary to bring Policy A2 in line with national policy (**MM58, MM60, MM62, MM63, MM64, MM65**). This includes provisions to retain open spaces on housing estates regardless of size, and to seek replacement open space which is of equivalent or better quality and quantity. Reference to open space surplus is omitted as I consider that the identified open space deficiencies in parts of the borough, coupled with predicted population increases and significant housing demands, means this exception is unlikely to apply in Camden.
103. The Council's proposed amendments to criterion b iii, as set out in MM58 in the published Main Modifications document (ED36), include reference to affordable housing as an example of benefits that could be weighed against the value of retaining open space. This is not consistent with the aims of the modified policy, as expressed in the first sentence of criterion b and the supporting text, which is to retain open space on housing estates whilst allowing for reconfiguration of open space and other land uses across estates where significant benefits are demonstrated. It is also not an exception within paragraph 74 of the NPPF. I have therefore omitted reference to this example in MM58, in order to ensure consistency and clarity.
104. The Council's Open Space Study (2014) does not provide a full sport demand assessment for playing fields and other sports and recreation facilities in Camden. However, I consider this is not a critical issue given the built-up nature of the borough and the limited prospects for the provision of additional pitches. The Study demonstrates that there is no surplus of provision and highlights the importance of ensuring good quality provision given likely high levels of usage.
105. For reasons of effectiveness, the word 'will' should be substituted with 'may' in the last sentence of criterion m, to reflect the fact that Section 106 agreements involve negotiation between parties (**MM61**). Modifications are also required to explain the dual system of Section 106 agreements and CIL, and to ensure consistency with national guidance on planning obligations (**MM66**).

Biodiversity

106. Policy A3 seeks to protect and enhance biodiversity in the borough. It includes reference to the replacement of trees and vegetation and other ecological improvements, in line with Policy 7.19 in the London Plan and paragraph 118 in the NPPF. Further detail on biodiversity gains is included in the Council's adopted SPD on amenity¹³.
107. Criterion b in Policy A3 indicates that development would be permitted unless it results in the loss or harm to nature conservation sites or species. However, the Plan needs to be read as a whole, and therefore other considerations would apply in the determination of applications. Accordingly, modifications to the criterion are not necessary for reasons of soundness.

¹³ Camden Planning Guidance 6 Amenity (CD4.6).

Basements

108. The borough has experienced an increase in the development of basements as a way of gaining additional space in homes and commercial premises. The Council's evidence¹⁴ shows that basement development can give rise to ground instability and flooding and have significant construction impacts. Policy A5 sets out a criteria-based approach which seeks to address these issues and prevent harm to neighbouring properties and local amenity. Risks associated with basement development are not limited to specific areas of the borough, and therefore a general criteria-based approach is justified. The policy does not address enforcement against inappropriate development, as this is a separate matter falling under different legislation.
109. The policy seeks to avoid harm, but it has been suggested it should be altered to refer to unacceptable harm/impacts or include other qualifications. However, such qualifications would indicate that some level of harm is appropriate, and would weaken the policy. The risks associated with basement developments are well documented, as established in the evidence referred to above. Thus I consider the Council's phraseology is justified. Effects during construction, and the need for Construction Management Plans, are dealt with in the supporting text.
110. Criteria f to m seek to protect local character and minimise the impact of construction on neighbours, and are warranted given the built-up nature of much of the borough and the importance of amenity. I also consider that they are clearly expressed. The Council's evidence shows that basements under homes in predominantly residential areas have the greatest impact, and therefore the application of criteria to smaller scale schemes is justified. There is no firm evidence before me to demonstrate that these requirements, as they apply to smaller-scale schemes, would be unduly onerous or ineffective.
111. Basement Impact Assessments (BIA), Construction Management Plans and Basement Construction Plans are key documents that enable a local authority to assess the potential effects of basement development. These would be sought in certain circumstances, as defined in the policy and the Council's adopted SPD on basements.¹⁵ This approach is pragmatic and recognises that a full assessment may not be necessary in every case; for example in less complex schemes.
112. An independent verification of BIAs is justified given the technical and sensitive nature of the issues involved. It would also be applied flexibly, as described in paragraph 6.116. The cumulative impact of schemes is a key consideration in built-up areas, and accordingly I consider the requirement for a BIA to include details of schemes in the locality is justified.
113. Overall I consider that Policy A5 strikes an appropriate balance between protecting the built environment and local amenity, and facilitating basement development. It establishes a clear list of requirements and assessment

¹⁴ Camden Survey of Basement Development (2016) (CD2.9) and the Camden Geological, Hydrogeological and Hydrological Study (2010).

¹⁵ Camden Planning Guidance 4 Basements and Lightwells (2015).

criteria which contain an appropriate level of detail, with flexibility to include further information in SPD.

114. Nevertheless, given the high degree of community concern surrounding basement development I consider that the policy should include reference to the Council's recommended Burland Scale level, as established in the adopted SPD on basements. The Burland Scale measures the risk of damage to property, and the maximum recommended level of 1 'very slight' is already applied by the Council. Its inclusion would strengthen and clarify the Council's approach, and is justified. Modifications **MM67** and **MM68** are therefore proposed for reasons of clarity and effectiveness.

Conclusion on Issue 5

115. The policies in chapter 6 relating to amenity are clearly expressed, use appropriate terminology, and are supported by additional detail in SPDs. Overall I conclude that, subject to the above main modifications, the Plan's policies for protecting amenity are positively prepared, justified, effective and consistent with national and local policy.

Issue 6 – Does the Plan set out a positive strategy and policies for securing high quality design and protecting and enhancing heritage which are justified, effective and in line with national and local policy?

116. Policy D1 sets out a criteria-based, rather than location specific approach, to the assessment of applications for tall buildings. However, I consider the Council's approach to be suitably precautionary, with a range of requirements that would help to protect the character and heritage of the borough. The policy also provides a clear generic approach to design which avoids undue prescription and is in line with the NPPF. The weight attached to the Council's Character Study, as referenced in the supporting text, would be determined through the application process and take account of its non-SPD status.
117. Policy D2 sets out a positive approach to the protection and enhancement of all aspects of the historic environment. The requirement in criterion h to preserve or enhance is proportionate, recognising that it may not be possible to secure enhancement in all cases. However, a number of main modifications are recommended to Policy D2 and the supporting text in order to strengthen the Council's approach to heritage assets and ensure consistency with national policy (**MM69, MM70, MM71**). Modifications are proposed elsewhere in the Plan for the same reason (**MM02, MM03, MM04, MM59**).
118. Policy D4 seeks to resist advertisements on shop fronts above fascia or ground floor level. This approach is justified on the basis that it would help to reduce urban clutter and light pollution, and protect the character and appearance of a locality, whilst providing an element of flexibility. Overall, Policies D3 and D4 set out a clear, positive and justified strategy to secure high quality shop fronts in the borough and protect local character.

119. The Advertisement Regulations¹⁶ state that factors relevant to amenity include the general characteristics of a locality. I am therefore satisfied that the requirement in Policy D4 for advertisements to 'preserve or enhance' character is justified.

Conclusion on Issue 6

120. Overall I therefore conclude that, subject to the above main modifications, the Plan sets out a positive strategy and policies for securing high quality design and protecting and enhancing heritage which are justified, effective and consistent with national and local policy.

Issue 7 – Are the policies relating to sustainable growth and climate change positively prepared, justified, effective and in line with national and local policy?

Climate change

121. Policy CC1 sets out a range of requirements which seek to minimise the effects of climate change and make development more sustainable. Decentralised energy networks have an important role to play in reducing carbon dioxide, and in this context the requirement for major developments to assess the feasibility of connecting to a decentralised network or establish their own is justified. The approach is also in line with Policy 5.6 in the London Plan.

122. The policy also gives suitable weight to the issue of demolition, recognising the need to explore the retention and improvement of buildings first. Although the policy does not specify the exact floorspace to which this applies, I consider the phrase 'substantial demolition' provides a sufficient framework, with some flexibility to allow proposals to be assessed on a case by case basis.

123. Policy CC1 includes targets relating to energy performance, specifically carbon dioxide reduction. The reduction target of 19% below Part L 2013 Building Regulations broadly equates to Code Level 4, and is therefore consistent with the WMS dated 25 March 2015. The target to achieve 20% reduction through on-site renewable energy generation from schemes of five or more dwellings is justified in the context of London Plan reduction targets and evidence relating to progress, and accords with Policy 5.7 in the London Plan. Viability testing on the Local Plan indicates that the targets are deliverable.

124. Policy CC2 seeks the submission of Energy and Sustainability Statements for schemes of five or more units or more than 500 sqm floorspace. This threshold differs to the threshold in Policy 5.2 in the London Plan which is based on 'major development'. Nonetheless, I note the supporting text to the London Plan states that boroughs are encouraged to require energy assessments for other development proposals where appropriate. Energy and Sustainability Statements are necessary to allow carbon reduction to be measured¹⁷, and the threshold of five reflects those in the aforementioned

¹⁶ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 as amended.

¹⁷ Having regard to a recent appeal in Camden APP/X5210/W/15/3135102 (CD8.35).

targets. Accordingly, I consider the threshold for seeking Energy and Sustainability Statements, as set out in Policy CC2, to be justified.

125. The March 2015 WMS states that Local Plan policies should not include additional local technical requirements relating to the construction, internal layout or performance of new dwellings. On this basis I consider that the requirement for residential conversions to comply with BREEAM standards, as set out in Policy CC2, is unjustified and contrary to national policy.
126. The policy also seeks BREEAM standards in relation to residential extensions of at least 500 sqm. This is a significant size, and there is no evidence before me that residential extensions of this scale are likely to be commonplace or form a sizable proportion of residential construction in Camden, and the requirement would therefore appear to be unnecessary. It would also cause confusion in cases where conversion schemes incorporate extensions. For the above reasons I therefore recommend that the requirements in Policy CC2 criterion g relating to BREEAM in respect of residential conversions and extensions are amended, and appropriate changes made to the supporting text (**MM72, MM73, MM74, MM75**).
127. Policy CC2 seeks to secure adaptation measures in development. However, the policy incorporates an appropriate level of flexibility which allows the selection of measure(s) to be determined on a case by case basis, and to take account of particular constraints.
128. Both Policies CC1 and CC2 include reference to a number of measures or actions which are 'encouraged' rather than required from developers. However, I consider that these are an appropriate part of the Council's overall strategy to address climate change. They do not impose requirements or standards, and are therefore not in conflict with national policy. Overall, I consider that the policies are clearly expressed, and provide a pro-active framework in line with the NPPF, with further detail in SPD¹⁸. The strategy will operate in conjunction with the Council's Sustainability Plan 'Green Action for Change' which includes non-land use matters.

Water and flooding

129. Modifications to Policy CC3 are necessary for reasons of effectiveness, to clarify that criterion f applies to all basements schemes with habitable rooms, and not just self-contained basement dwellings (**MM76**). This would bring it in line with Policy A5 on basements, and reflect the risks associated with any development in areas prone to flooding. Reference to the Environment Agency's new climate change allowances is also necessary for reasons of effectiveness (**MM77**).

Air quality

130. The effect of proposed levels of growth on air quality in Camden is considered under Issue 1 above. In terms of the specific operation of Policy CC4 itself, modifications are necessary to the supporting text to clarify when Air Quality

¹⁸ Camden Planning Guidance 3 Sustainability (2015) (CD4.3).

Assessments would be required in association with developments that include biomass boilers/combined heat and power **(MM78)**.

Conclusion on Issue 7

131. Overall I therefore conclude that, subject to the above main modifications, the policies relating to sustainable growth and climate change are positively prepared, justified, effective and in line with national and local policy.

Issue 8 - Does the Plan set out a positively prepared strategy and policies for viable centres and the provision of shopping facilities, which are justified, effective and in line with national and local policy?

132. At the hearing the Council confirmed that the list of centres in Policy TC1 is not intended to operate as a hierarchy, but that a sequential approach would apply to sites outside designated centres in line with the NPPF. This is currently unclear, and therefore modifications are necessary to Policy TC1 to clarify this position **(MM81, MM82)**. Changes are also required to correct the list of Specialist Shopping Areas and clarify their operation **(MM79, MM80, MM82)**.

133. Policy G1 establishes that approximately 30,000 sqm of additional retail floorspace is required over the Plan period to meet needs identified in the Council's Retail and Town Centre Study (2013) (CD2.7). The Council's post-hearing note on retail (ED25) indicates that approximately 39% of the overall retail floorspace requirements in the borough have either been completed, gained planning permission or been the subject of an application. Additional supply is anticipated on a number of allocated sites and through windfall development in Camden's designated centres. The number of designated centres in Camden is extensive. Overall I am therefore satisfied that the requirements are deliverable over the Plan period.

134. The Council's adopted SPD on town centres¹⁹ includes specific requirements relating to the proportion and size of retail, non-retail and food, drink and entertainment establishments in centre frontages. However, the PPG states that SPD can build on and provide further guidance on policies in the development plan, and therefore, by definition, should not be used to make policy itself. Therefore, in order to accord with national policy and to be effective, I consider that modifications are necessary to include details of frontage controls within the Plan rather than SPD **(MM83, MM84, MM85, MM91)**. The proportions and uses currently defined in the Council's SPD is supported by evidence in the Council's Retail and Town Centre Study (2013) (CD2.7). On-going monitoring will ensure that these proportions and uses, and the boundaries of designated centres, are kept under review.

135. Criterion c in Policy TC2 seeks to focus food, drink and entertainment uses in the King's Cross and Euston Growth Areas, town centres and Central London Frontages. This appears appropriate having regard to the role of these centres, as defined in Policy TC1 and the Council's SPD on town centres. I consider that widening the categories to include the CAZ is not justified, as the CAZ includes locations which have a distinct residential character.

¹⁹ Camden Planning Guidance 5 Town Centres, Retail and Employment (2013).

136. The Council's evidence shows some increase in betting shops, payday loan shops and pawnbrokers in Camden since 2007. However, the rise in betting shop numbers in particular has been relatively modest, and the evidence does not show extensive numbers of clusters in the borough. There is also little Camden-specific information before me to demonstrate that concentrations of these uses are having a significant adverse effect on the vitality and viability of centres. As such it is unclear that 'saturation levels' have been reached 'where negative impacts outweigh benefits', in line with guidance in the Mayor for London's Town Centres SPG (2014) (CD5.14).
137. The Council's approach in Policy TC4 would limit betting shops, payday loan shops and pawnbrokers to one within 400 metres. There is no clear evidence before me that a grouping of two such uses within this distance would amount to a cluster or saturation or cause significant adverse effects on vitality and viability or in other regards. The approach would also capture areas outside centres and extend over a considerable portion of developed parts of the borough.
138. Policy 4.8 in the London Plan promotes the management of clusters of retail uses. Nevertheless, overall, I consider that the Council's approach to betting shops, payday loan shops and pawnbrokers in the last section of Policy TC4 is not adequately justified or in line with national and local policy. Accordingly, I recommend deletion of these requirements through modification **MM86**.
139. However, in the context of Policy 4.8 and the need to promote a mix of uses in town centres, I consider that the general reference in the supporting text to proliferation should be retained. I also consider that the general reference in the supporting text to community safety and fear of crime is appropriate, on the basis that these are valid planning issues that may or may not arise.
140. Policy TC4 also resists the development of hot food takeaways within 400 metres of secondary schools. The Council has drawn my attention to a study by the London Borough of Brent on 'Takeaway Use among Brent's school students' (2014) (CD8.38), and cited a number of other national and international studies relating to the use of hot food takeaways near schools. Nevertheless, there is no Camden-specific evidence before me that demonstrates a causal link between A5 uses and childhood obesity/eating habits in relation to the proposed 400 metre zone around secondary schools. I also note that the proposed zones would cover the majority of the Euston Growth Area and a significant proportion of the King's Cross Central London Frontage. These areas are identified as a key focus for growth in the Plan, and therefore the effectiveness of the policy is unclear.
141. The health impacts of development are relevant planning considerations, as established in the NPPF. Nevertheless, for the reasons above I consider there is insufficient evidence before me to support the Council's approach in Policy TC4 to hot food takeaways. Accordingly, I recommend that the last section of criterion f is deleted and related changes made to the supporting text **(MM87)**.
142. The Council recognises the challenges of managing the competing needs of residents and other visitors in Camden Town, and identifies a suitable framework for addressing this matter. This includes the identification of

'sensitive frontages' where there are tighter controls on food, drink and entertainment uses. Policy TC6 also provides general protection for Camden market and other markets, with detailed matters of management necessarily being dealt with outside the local plans system.

Conclusion on Issue 8

143. Overall I therefore conclude that, subject to the above main modifications, the Plan sets out a positive strategy and policies for viable centres and the provision of shopping facilities which are justified, effective and in line with national and local policy.

Issue 9 - Does the Plan set out a positively prepared strategy and policies on transport, which are justified, effective and in line with national and local policy?

144. The public transport section of Policy T1 refers to bus infrastructure, and needs to be widened to capture other forms of public transport. Modifications **MM88 and MM89** are therefore required for reasons of clarity and effectiveness.

145. Policy T2 requires all new development in the borough to be car-free. This approach is supported by evidence in the Council's Car Free Report (CD2.10) which identifies high levels of public transport accessibility in Camden, and good access to jobs and services. The Council's viability testing indicates that such development is deliverable. The approach is also in line with Policy 6.13 in the London Plan, which allows boroughs to determine their own standards based on specific circumstances, and to explore car-free housing in locations with high public transport accessibility.

146. However, in relation to existing town centre car parks some flexibility is necessary to allow either the retention or some re-provision of parking in redevelopment schemes, recognising the important role that such car parks play in supporting town centre vitality and viability. Accordingly, for reasons of effectiveness, modifications are necessary to alter paragraph 10.20 (**MM90**).

147. In general I consider that the transport strategy and policies in the Local Plan are clearly expressed, contain an appropriate level of detail, and avoid undue prescription. Overall, they provide a positively prepared framework for promoting sustainable travel and reducing car use, thereby benefiting air quality and health and well-being. Subject to the above main modifications, the framework is justified, effective and consistent with national and local policy.

Other Matters

148. Land at Gondar Gardens is shown as open space on the Local Plan Policies Map. Representations have been made late in the examination process, indicating that the boundaries are incorrect, and that part of the site has outstanding planning permission for development and should accordingly be omitted. I note that this issue was considered by the Examiner for the Fortune Green and West Hampstead Neighbourhood Plan, and it was recommended that the boundaries should take account of outstanding

permissions. The representations state that this has not been wholly reflected in the Neighbourhood Plan maps. The matter was considered as part of the Neighbourhood Plan process and derives from this document, and the Council has confirmed that it is dealing with the issue on this basis. Any subsequent amendments to the maps in the Neighbourhood Plan would need to be reflected in due course in revisions to the Local Plan Policies Map.

Assessment of Legal Compliance

149. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Camden Local Plan has been prepared in accordance with the Council's LDS (January 2016).
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in July 2011. Consultation on the Local Plan and the MMs has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	The Habitats Regulations AA Screening Report (2015) sets out why AA is not necessary. Natural England support this.
National Policy	The Camden Local Plan complies with national policy except where indicated and MMs are recommended.
2004 Act (as amended) and 2012 Regulations.	The Camden Local Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

150. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

151. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Camden Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

Katie Child

Inspector

This report is accompanied by an Appendix containing the Main Modifications.

Appendix – Main Modifications

The modifications below are expressed in the conventional form of ~~strikethrough~~ for deletion and underline for additions of text.

The page numbers and paragraph numbering below refer to the submission Camden Local Plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM01	7	1.4	<p>Include additional text as follows:</p> <p>‘Camden Sites Allocation – this identifies known development sites in Camden’s main growth area and other locations across the borough and sets out the Council’s expectations for them. It was adopted by the Council in 2013 <u>and will be fully reviewed following adoption of the Local Plan.</u>’</p>
MM02	25	2.26	<p>Amend bullet 7 as follows:</p> <ul style="list-style-type: none"> protect and enhance features <u>and assets</u> of historic and conservation importance; and
MM03	27	2.29	<p>Amend bullet 4 as follows:</p> <ul style="list-style-type: none"> development of the highest quality as befits this historic area in the heart of London, which preserves local amenity and seeks to enhance and <u>conserve</u> preserve the <u>significance of heritage assets such as</u> the character and appearance of conservation areas; and
MM04	28	2.31	<p>Amend bullet 11 as follows:</p> <ul style="list-style-type: none"> high quality, sustainable design that respects its surroundings and <u>conserves</u> preserves and enhances the area’s <u>heritage assets and wider</u> historic environment; and
MM05	43	After para 3.5	<p>Insert new paragraph 3.5A as follows:</p> <p><u>3.5A 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:</u></p> <ul style="list-style-type: none"> <u>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</u> <u>small houses in multiple occupation (Use Class C4), which</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>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.</u>
MM06	44/45	3.8 – 3.10	<p>Amend paragraphs 3.8 to 3.10 as follows:</p> <p>3.8 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. <u>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.</u></p> <p>3.9 The 2014 AMR <u>housing trajectory</u> indicates that there are sufficient identified sites in place to <u>provide just over 17,100 additional homes from 2016/17 to 2030/31 and exceed our housing targets in the early years of throughout the Plan period. but not in the later years.</u> Deliverable sites are in place to provide more than 6,500 <u>7,100</u> homes from 2015/16 to 2019/20 <u>2016/17 to 2020/21</u>, approximately <u>1,420 additional homes per year, comfortably exceeding Camden's overall housing the target (including 5% buffer) of 1,120 1,176</u> 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 900 <u>1,150</u> additional homes per year, and over the entire plan period identified sites should deliver just under 800 <u>1,140</u> additional homes per year (developable sites that are suitably located and have a reasonable prospect of being viable and available to develop at the time envisaged). We are working to reassess the potential of sites across the borough to ensure that we exceed the housing target right through the Plan period.</p> <p>3.10 <u>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. anticipate that the shortfall later in the Plan period will be met by higher density development and intensification of the existing built environment, and delivery</u></p>

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			of additional housing from sites identified in the London Strategic Land Availability Assessment (SHLAA) 2013, town centres, and Growth Areas such as Kentish Town Regis Road and Euston, together with additional student housing on sites identified in our development plan documents. These additional sources of supply will be included in future housing trajectories.
MM07	46/47	3.16	<p>Amend text as follows:</p> <p>3.16 The 2011 Census indicated that Camden has over 220,000 usual residents. Of these, almost 8,000 live in communal establishments, <u>and just under 5,400 live as separate households in shared dwellings,</u> and 40,000 live in multi-adult households such as groups of friends and flat-shares. This leaves three quarters <u>Over 90% of Camden's usual residents who 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 3.5A 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.</u></p>
MM08	53/54	Policy H2	<p>Amend Policy H2 as follows:</p> <p>'To support the aims of Policy H1, The Council will seek to exceed the target for self-contained homes by expecting where non-residential development is proposed the Council will promote the inclusion of self-contained homes as part of to provide a mix of uses including the maximum appropriate provision of self-contained housing.</p> <ul style="list-style-type: none"> <u>• In all parts of the borough the Council will encourage the inclusion of self-contained homes in non-residential development.</u> • We will particularly expect sites in <u>In the Central London Area and the town centres of Camden Town, Finchley Road/ Swiss Cottage and Kilburn High Road to be developed for a mix of uses including self-contained housing. In these</u> locations, <u>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.</u> <p><u>In the specified areas, the Council will consider whether self-contained housing is required as part of a mix of uses taking into account:</u></p> <ul style="list-style-type: none"> <u>a. the character of the development, the site and the area;</u> <u>b. site size, and any constraints on developing the site for a mix of uses;</u> <u>c. the priority the Local Plan gives to the jewellery sector in the Hatton Garden area;</u>

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			<p><u>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</u></p> <p><u>e. whether the development is publicly funded or serves a public purpose.</u></p> <p><u>Where housing is required as part of a mix of uses,</u> 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 housing in association with the development is appropriate but on-site housing is not practical <u>or housing would more appropriately be provided off-site,</u> we will seek provision of housing on an alternative site nearby, or exceptionally a payment-in-lieu.</p> <p>In considering whether to seek a mix of uses including housing should be provided on site, <u>and</u> the most appropriate mix of uses, and the scale and nature of any provision of housing and other uses, the Council will take into account <u>criteria (a) to (e) and the following additional criteria:</u></p> <p>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 f. the need to add to community safety by providing an active street frontage and natural surveillance; e. whether self-contained housing would be compatible with the character and operational requirements of the proposed non-residential use and other nearby uses; f g. the extent of any additional floorspace needed for an existing user; g. whether the development is publicly funded or serves a public purpose; h. the impact of a mix of uses on the efficiency and overall quantum of development; i. 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 j. whether an alternative approach could better meet the objectives of this policy and the Local Plan.</p> <p>In the Central London Area and the town centres listed in this policy, where provision of self-contained housing is appropriate <u>required</u> but the development's provision of housing falls significantly short of the Council's 50% target due to financial viability, and there is a prospect of viability improving prior to completion, the Council will seek a deferred contingent contribution. The deferred contribution will be based on the initial shortfall and an updated assessment of viability when costs and receipts are known as far as possible.'</p>

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MM09	54	3.43 – 3.45	<p>Amend paragraphs 3.43 to 3.45 and insert new paragraph 3.45A, as follows:</p> <p>3.43 <u>'Policy H1 indicates that where sites are underused or vacant, we will expect the maximum reasonable provision of housing that is compatible with any other uses needed on the site. Where it is not appropriate to develop a site entirely for housing, securing housing as part of a mixed-use scheme is another way of meeting some of our housing needs whilst also meeting other needs in the area, such as providing jobs, services and facilities.....'</u></p> <p>3.44 <u>'Much of the borough already has a well-established mixed-use character. To support this mixed-use character and the aims of Policy H1 and extend this, the Council will expect- encourage non-residential development throughout the borough to provide a mix of uses including the maximum appropriate contribution to self-contained housing.'</u></p> <p>3.45 <u>'The Council has established detailed requirements for non-residential development in Camden's Central London Area and the town centres of Camden Town, Finchley Road/ Swiss Cottage and Kilburn High Road, as these are the parts of the borough which have the best access to public transport, the best potential for a mix of uses, and the best prospect for the development of housing above active street frontages. Additional housing in these locations will help provide activity and surveillance when businesses are closed, and support shops, services and local facilities. Therefore, the Council will particularly expect require development schemes in Central London and our these larger town centres to provide a mix of uses subject to the considerations set out in Policy H2, and will seek to negotiate up to half of all additional floorspace as self-contained housing (in Use Class C3), such that additional floorspace in residential use matches all the additional floorspace in non-residential uses.'</u></p> <p>3.45A <u>'For the Central London Area and the specified town centres, Policy H2 provides distinct considerations and criteria used to determine whether a development is required to provide housing as part of a mix of uses, the type of housing required, whether the housing should be provided on site or off site, and achieving an appropriate mix of housing and other uses. The following paragraphs explain these in turn. Further details of the operation of Policy H2 are also set out in supplementary planning document Camden Planning Guidance 2: Housing.'</u></p>
MM10	55	3.46	<p>Amend paragraph 3.46 and insert new paragraph 3.46A as follows:</p> <p>3.46 <u>Proposals for additional non-residential floorspace in the Central London Area and specified town centres will be required to provide housing subject to assessment against criteria (a) to (e) in Policy H2. The Council has set a</u></p>

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			<p><u>threshold indicating that the requirement applies to developments adding more than 200 sqm (GIA or gross internal area) on the basis of the floorspace and ancillary space required to create a single self-contained home and a single commercial unit within a mixed-use development. the Council considers that a development adding more than 200 sqm (gross) of floorspace is sufficient to provide a mix of uses, including a contribution to the supply of housing. Housing provided as part of a mixed use scheme should be independent of other uses and have a separate access at street level or other arrangements which provide for occupation independent of any non-residential use. [final sentence moved to para 3.48A]</u></p> <p><u>3.46A The following are examples of proposals that would not be required to provide housing:</u></p> <ul style="list-style-type: none"> <u>the additional floorspace is 200 sq m (GIA) or less;</u> <u>the development is unable to create an acceptable level of residential amenity e.g. inadequate daylight and sunlight, or other activities nearby would cause unacceptable harm to residential amenity e.g. levels of noise and vibration;</u> <u>the development involves an extension to an existing building (especially a listed building or a building that makes a positive contribution to a conservation area) that cannot accommodate new features necessary to support housing, such as entrances, windows, staircases and lifts;</u> <u>the development is in the designated Hatton Garden area, where the Council's priority is to secure and protect a stock of premises for the jewellery sector and support the nationally important cluster of jewellery manufacture and trading that gives the area its special character;</u> <u>the development involves a specialised use, such as a hospital or a research facility, which has operational requirements that prevent the inclusion of housing (e.g. 24 hour activity or a controlled environment); or</u> <u>the development is publicly funded or serves a public purpose (such as providing transport infrastructure, land required for transport, or a dedicated facility for an educational, medical or research institution), and the nature of the funding or facility prevents the inclusion of housing. [this point moved from para 3.62]</u>
MM11	55	3.48	<p>Amend paragraph 3.48 and insert new paragraphs 3.48A and 3.48B as follows:</p> <p>3.48 'Where Policy H2 does apply <u>applies</u> to development, the Council will generally seek self-contained housing (in Use Class C3). This is consistent with the with the Council's concern that development of student housing.....'</p>

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			<p><u>3.48A To ensure that housing provided as part of a mixed use scheme contributes to meeting the targets identified in Policy H1, rather than being used as ancillary space by non-residential occupiers, the homes should be independent of other uses and have a separate access at street level or other arrangements which provide for occupation independent of any non-residential use.</u></p> <p><u>3.48B Where self-contained housing is proposed as part of a mixed-use development, affordable housing will also be sought. Policy H4 sets out when we will seek affordable housing, and the quantity and type of affordable housing we expect.</u></p>
MM12	55-57	3.49 – 3.52 and 3.54-3.55	<p>Amend section title and paragraphs 3.49 to 3.55 as follows:</p> <p><u>Appropriateness of seeking housing and on-site provision Whether the housing should be provided on site or off-site</u></p> <p>3.49 Where Policy H2 applies to a development the Council will initially consider whether it is appropriate to seek housing in association with the development. Key factors will be the character of the area and whether another use has priority (i.e. jewellery in Hatton Garden), community safety, the compatibility of self-contained housing with proposed and nearby uses, and whether the development serves a public purpose (criteria a, c, d, e and g). A development of 200 sqm (GIA) is considered the minimum size that can reasonably accommodate one or two homes together with a non-residential activity, so provision of housing will not be sought from non-residential developments of less than 200 sqm (GIA).</p> <p>3.50 Inclusion of self-contained housing <u>on-site</u> as part of a mixed use development offers the best prospect for <u>achieving the benefits set out in paragraph 3.43 and creating a complementary range of activities across an area with continuous activity and natural surveillance.</u> Where the Council considers that provision of housing is appropriate, we will seek provision on the development site. Where development adds 1,000 sqm (GIA) or more floorspace, the Council considers that it will generally be possible to achieve a significant number of homes on-site together with <u>sufficient to support the stairs, lifts and</u> circulation space needed to serve them, and will therefore particularly expect on-site provision.</p> <p>3.51 ‘However, There may be circumstances (even when the additional floorspace is 1,000 sqm or more) where the provision of housing is appropriate but cannot practically be achieved on-site <u>or would more appropriately be provided off-site</u> (for example where the entire <u>additional</u> floorspace is needed for an existing user). <u>Relevant considerations are set out in paragraphs 3.52 to 3.60.</u> Where the Council considers that <u>off-site provision it is appropriate to seek</u></p>

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			<p>housing in association with the development but accepts that on-site provision is not practical, we will seek an off-site contribution to affordable housing this will be secured through a planning obligation.....'</p> <p>3.52 'Where the Council accepts that on-site provision is not practical <u>For off-site provision</u>, we will assess how much housing is required by looking at all sites involved in the arrangement... '</p> <p>3.54 'Exceptionally, where the Council considers that provision of housing is <u>required appropriate</u>, on-site and off-site options have been thoroughly explored.....'</p> <p>3.55 More detailed information regarding the calculation of off-site provision and payments in lieu is provided in our supplementary planning documents Camden Planning Guidance 2: Housing and Camden Planning Guidance 8: Planning Obligations.</p>
MM13	57-59	3.56 - 3.63	<p>Amend section title and paragraphs 3.56 – 3.60 as follows:</p> <p>Achieving an appropriate mix of <u>housing and other</u> uses</p> <p>3.56 <u>Where housing is required as part of a mix of uses, all criteria in Policy H2, provides a set of criteria including criteria (a) to (e), will be used</u> to help us consider the appropriate mix of <u>housing and other</u> uses for a site, and whether self-contained the housing should be provided on the site or elsewhere. These will be used to consider proposals throughout the borough, including proposals in the Central London Area and the town centres of Camden Town, Finchley Road/ Swiss Cottage and Kilburn High Road. Details of how these criteria will be applied are set out in supplementary planning document Camden Planning Guidance 2: Housing (including the assessment of financial viability), but a number of key considerations are set out below.</p> <p>3.57 The character of a development, site and an area and existing uses in the area and <u>on the site may influence the mix of uses that is most appropriate (including site size)</u> will influence whether it can accommodate housing or the separate access or circulation spaces needed to accommodate multiple uses. Factors to be considered include whether existing buildings need to be retained on site (e.g. heritage assets) and whether other activities or buildings in the area would prevent an acceptable standard of residential amenity from being achieved. Residential or non-residential uses may need to be introduced into an area to add to community safety, for example by adding to the diversity and vitality of streets where there is limited activity at certain times of the day or week, or ensuring that street activity can be seen by nearby residents.</p>

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			<p>3.58 In some areas <u>it may be necessary to strike a balance between</u> the need to meet the space requirements of a particular activity or user <u>may outweigh and</u> the priority given to housing. The Council places a high priority on ensuring premises are available to sustain Hatton Garden's nationally and internationally important cluster of jewellery manufacture and trading (see also Policies E1 and E2). Many other Central London activities have a national and international function and make major contributions to Camden's economy, and their needs will be given significant weight. The Council supports the institutions and activities that comprise the Knowledge Quarter in the general area of King's Cross, Euston Road and Bloomsbury, such as the Wellcome Institute and the various components of the University of London, and their requirements may be foremost in particular locations.'</p> <p>3.59 Many non-residential uses can be located adjacent or below residential uses without difficulty. By definition, business uses within Use Class B1 should be capable of operating in residential areas without having an adverse impact on residential amenity. Amenity may also be protected by design features and planning conditions (for example, requiring attenuation of noise/ vibration or limiting operating hours). However, we will consider whether proposed uses have particular requirements that would limit the potential for including housing on-site. For example hospitals and medical institutions may require 24 hour operation, privacy or controlled environments.</p> <p>3.60 The Council is committed to promoting and facilitating growth, and we will seek to ensure that the operation of Policy H2 encourages deliverable development and helps growth to take place. We will take into account the space needs of existing users, <u>and seek to ensure that they can expand without relocating, and way the development will be financed.</u> Where a development is publicly funded or serves a public purpose (such as a dedicated facility for an educational, medical or research institution), we will consider whether this would prevent the developer from funding the supply of housing. Where a commercial development is proposed, we <u>We will also</u> consider whether a viable development requires a particular amount or layout of commercial space. In negotiating the appropriate mix of uses, the Council will consider all aspects of financial viability including particular costs associated with the development and the distinctive viability characteristics of particular development sectors (such as build-to-let housing). We will generally expect submission of a financial viability appraisal to justify the mix proposed, 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</p>

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			<p>affordable housing falls significantly short of the Policy H2 target or the appraisal raises doubts about the deliverability of the development, the Council may also seek an independent verification of the appraisal funded by the developer.</p> <p>Insert new paragraphs 3.60A and 3.60B as follows:</p> <p><u>3.60A The Council will positively consider alternative approaches that can better deliver a supply of land for self-contained housing, for example making a site available for housing development by another organisation such as the Council or a Housing Association. The Council will also consider how proposals deliver other plan objectives and their impact on the potential to deliver a mixed-use scheme containing housing e.g. the impact of providing a new station entrance to promote public transport. [moved from 3.62]</u></p> <p><u>3.60B In negotiating the appropriate mix of uses, the Council will consider all aspects of financial viability including particular costs associated with the development and the distinctive viability characteristics of particular development sectors (such as build-to-let housing). We will generally expect submission of a financial viability appraisal to justify the mix proposed, 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 H2 target or the appraisal raises doubts about the deliverability of the development, the Council may also seek an independent verification of the appraisal funded by the developer. [moved from 3.60]</u></p> <p>Amend paragraph 3.61:</p> <p>3.61 'In the Central London Area and the town centres listed in Policy H2, where provision of self-contained housing is appropriate <u>required</u> but financial viability constraints prevent a development from meeting the 50% housing target.....'</p> <p>Delete paragraph 3.62:</p> <p>3.62 The Council will positively consider alternative approaches that can better deliver a supply of land for self-contained housing, for example making a site available for housing development by another organisation such as the Council or a Housing Association. The Council will also consider how proposals deliver other plan objectives and their impact on the potential to deliver a mixed-use scheme containing housing e.g. the impact of providing a new station entrance to promote public transport. [moved to</p>

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			<p>paragraph 3.60A]</p> <p>Delete section title and paragraph 3.63:</p> <p>Affordable housing in mixed-use schemes</p> <p>3.63 Where self-contained housing is proposed as part of a mixed-use development, affordable housing will also be sought. Policy H4 sets out when we will seek affordable housing, and the quantity and type of affordable housing we expect. [moved to paragraph 3.48B]</p>
MM14	64	Policy H4	<p>Amend first sentence of Policy H4 as follows:</p> <p>'The Council will aim to maximise the supply of affordable housing and exceed a borough wide strategic target of 5,565 <u>5,300</u> additional affordable homes from 2015-2030 <u>2016/17 – 2030/31</u>, and aim for an appropriate mix of affordable housing types to meet the needs of households unable to access market housing....'</p>
MM15	64	Policy H4	<p>Amend second paragraph of Policy H4 as follows:</p> <p>'We will expect a contribution to affordable housing from all developments that include housing and provide one or more additional homes <u>and involve a total addition to residential floorspace of 100 sqm GIA or more.</u> The Council will.....'</p>
MM16	65	Policy H4	<p>Delete criterion g:</p> <p>g. for developments with a site area of 0.5 ha or greater, the Council may seek affordable accommodation for Camden's established traveller community as part or all of the affordable housing contribution, subject to the requirements of Policy H11 (Accommodation for Travellers).</p>
MM17	67	3.88	<p>Amend text as follows:</p> <p>'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. <u>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.</u> However, the Camden Affordable Rent Study 2011 indicates that the cost of larger market homes in Camden is far beyond the reach of most families in housing need. Consequently, in seeking social-affordable rented housing, we will give priority to family homes (with 3 or more bedrooms) at or around the level of guideline</p>

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			targets for social rents as resources and development viability permit.'
MM18	67	3.89	<p>Amend text as follows:</p> <p>'The government is introducing <u>Housing and Planning Act 2016</u> provides for the introduction of Starter Homes as a way to help first-time buyers <u>who are at least 23 years old but not yet under 40</u> 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 <u>are subject to a price cap</u> (in London <u>the price cap has initially been set at</u> they should cost no more than £450,000, (based on the average price paid by a first-time buyer). Starter Homes in Camden are likely to cost more than renting in the private sector, so they would not fall within the current definition of affordable housing.'</p>
MM19	67	3.90	<p>Amend text as follows:</p> <p>'The government is considering measures <u>has consulted on proposed Starter Homes Regulations and changes to the National Planning Policy Framework (NPPF) that would allow developers to require certain types of development to include a set percentage of Starter Homes in development as an alternative to and broaden the definition of affordable housing to include homes sold for discount market sale.</u> Where Starter Homes are substituted for affordable housing in development proposals, the Council will expect them to replace affordable home ownership products (primarily shared ownership), and will seek to ensure that proposals continue to include some affordable homes for rent (social affordable rent or intermediate rent). <u>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.</u> Starter Homes are considered further in Policy H6 of the Plan and supporting paragraphs.'</p>
MM20	67/68	3.93	<p>Amend text as follows:</p> <p>'..... To set a target for affordable housing we have considered <u>estimated</u> 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 <u>meet a secure 50% of the self-contained housing target as affordable homes, which equates to our strategic target of 5,565 5,300</u> additional affordable homes over the Plan period.'</p>

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MM21	68	3.95 3.96	<p>Amend text as follows:</p> <p>3.95 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. <u>Following legal challenges, this guidance was confirmed in 2016. The High Court has subsequently quashed the guidance, but the government has said it will seek to reinstate the threshold.</u></p> <p>3.96 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. <u>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. The Council has therefore devised an</u> Policy H4 therefore sets out:</p> <ul style="list-style-type: none"> <u>an affordable housing threshold of one or more additional homes involving a total addition to residential floorspace of 100 sqm GIA or more; and</u> <u>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 100 sqm GIA or more.</u> <p>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 (if the national threshold is reinstated) risking creation of a high starting target that supresses scheme or dwelling size. <u>More information about the operation of the sliding scale is provided in paragraphs 3.103 to 3.107.</u></p>
MM22	70/71	3.104 and 3.105	<p>Amend paragraphs 3.104 and 3.105, and insert new paragraph 3.104A as follows:</p> <p>3.104 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. 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. 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</p>

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			<p>space would be unable to provide dwellings (e.g. due to lack of natural light). 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:</p> <ul style="list-style-type: none"> • 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. <p>3.104A <u>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 3.106. [partly moved from 3.104]</u></p> <p>3.105 <u>'We will apply affordable housing targets on the basis of seeking sliding scale directly to the specified percentage of additional 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 of fewer than 10 additional homes where we may accept a payment in lieu of affordable housing (see paragraph 3.108). The use of floorspace in negotiation.....'</u></p>
MM23	71	3.107	<p>Delete paragraph 3.107:</p> <p>3.107 The government is likely to reinstate a national affordable housing threshold at around 10 homes/ 1,000sq m. For schemes where there is no existing housing, the effect of such a threshold on Camden's sliding scale would be that the starting contribution would be around 20%. The remaining part of the sliding scale would serve to ease the distorting effect of the affordable housing threshold. If the Council adopted a flat-rate affordable housing target of 50%, very few developments slightly above the threshold would be delivered as a scheme with nine homes (all for market sale) would usually have a higher value than a</p>

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			scheme with twelve homes (only six homes for market sale or approximately 600 sq m GIA).
MM24	73/74	3.115 and 3.116	<p>Delete paragraphs 3.115 and 3.116:</p> <p>3.115—As indicated in Policy H11 (Accommodation for Travellers) and supporting paragraphs, the Council has identified a need for up to 16 additional pitches for Camden's established traveller community over the Plan period. The Council anticipates that the pitches or alternative accommodation needed in the early part of the Plan period will be made available from land in the Council's ownership, but that provision in later years should form part of larger development sites. National planning policy for traveller sites indicates that councils should promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites. Consequently, Policy H6 (Housing Choice and Mix) seeks the inclusion of traveller accommodation (private or affordable) as part of any developments involving housing that have a site area of 0.5 ha or greater, while Policy H4 provides for us to seek an affordable element of traveller accommodation from sites of this scale. Schemes with a site area of 0.5 ha or greater as such schemes offer the best potential to secure an appropriate relationship between relatively low density accommodation for travellers and the higher densities we would generally expect for more conventional housing development under Policy H1 (Maximising Housing Supply).</p> <p>3.116—In some cases we may seek affordable traveller accommodation and forego private accommodation, depending on the resources available to the community. Any accommodation for travellers is likely to be a relatively low density and low value use, and the inclusion of affordable accommodation would be expected to have a substantial impact on viability. We therefore recognise through Policy H4 that affordable accommodation for travellers would be provided in place of some or all the affordable housing we would otherwise seek to meet general needs. In considering whether affordable traveller accommodation should be sought and the scale and nature of provision, the Council will also take into account all relevant criteria in Policy H4 and Policy H11.</p>
MM25	80	Policy H6	<p>Amend criteria a-d, as follows:</p> <p>'.....We will seek to secure high quality accessible homes in all developments that include housing. We will:</p> <p><u>a. encourage design of all housing to provide functional, adaptable and accessible spaces;</u></p> <p>a <u>b. expect all self-contained homes to meet the nationally described space standard;</u></p>

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			<p>b c. require 90% of new-build <u>self-contained</u> homes in each development to be accessible and adaptable in accordance with Building Regulation M4(2); <u>and</u></p> <p>e <u>d.</u> require 10% of new-build <u>self-contained</u> 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). and</p> <p>d. where the full requirements of Building Regulation M4(2) and M4(3) cannot be secured, seek design of 10% of homes in each development to meet M4(3) requirements as far as possible, and for any homes in the development that are not broadly consistent with M4(3), seek design to meet M4(2) requirements as far as possible.'</p>
MM26	80	Policy H6	<p>Amend criterion j and the preceding paragraph as follows:</p> <p>'.....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 and accommodation for Camden's established traveller community, 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:</p> <p>j. criteria in Policies H8, H9, <u>and</u> H10 and H11 where applicable; ...'</p>
MM27	81	After para 3.138	<p>Add a new paragraph after 3.138, as follows:</p> <p><u>3.138A 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.</u></p>
MM28	83/84	3.149 and 3.151	<p>Amend text as follows:</p> <p>3.149 Where optional Building Regulations cannot be applied in full, we will encourage developers to meet requirements as far as possible. In such cases, we will encourage design of 10% of homes to meet M4(3) requirements as far as possible. For any homes in the development where it is not possible to achieve a design that is broadly consistent with M4(3), we will seek their design to meet M4(2) (accessible and adaptable dwellings)</p>

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			<p>as far as possible. Where optional Building Regulations cannot be secured in full by planning conditions, we may seek to use planning obligations to secure features that enhance the accessibility of the housing proposed. <u>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.</u></p> <p>3.151 <u>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.</u> 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.</p>
MM29	85	3.161	<p>Amend text as follows:</p> <p><u>'The government is introducing 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 under 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 they should cost no more than £450,000, (based on the average price paid by a first-time buyer). Starter Homes in Camden are likely to cost more than renting in the private sector, but could cost considerably less than full market value.'</u></p>
MM30	85/86	3.162	<p>Amend text as follows:</p> <p><u>'The government is considering measures that would 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 and allow developers to include a set percentage of Starter Homes in development as an alternative to more traditional forms of affordable housing. Policy H6 provides for the Council to comply with government Starter Home requirements once they come into effect. A supply of Starter Homes in the borough may have some potential to retain middle income households</u></p>

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			that would otherwise have to move elsewhere to satisfy aspirations for owner-occupation, although the Council will need to weigh the aspirations of these households against other housing needs. Where Starter Homes are substituted for affordable housing in development proposals, the Council will expect them to replace affordable home ownership products (primarily shared ownership).
MM31	90	3.179 and 3.180	<p>Delete section title and paragraphs 3.179 and 3.180:</p> <p>Camden's traveller community</p> <p>3.179 As indicated in Policy H11 (Accommodation for Travellers) and supporting paragraphs, the Council has identified a need for up to 16 additional pitches for Camden's established traveller community over the Plan period. The Council intends to identify sites on its own land with potential to meet some of this need. National planning policy for traveller sites indicates that councils should promote more private traveller site provision. The Council considers that provision for the traveller community in conjunction with large developments involving other types of housing offers the best prospect for bringing forward suitable land and securing an appropriate relationship between relatively low density accommodation for travellers and the higher densities we would generally expect for more conventional housing development under Policy H1 (Maximising Housing Supply). Consequently, Policy H6 (Housing Choice and Mix) seeks the inclusion of traveller accommodation (private or affordable) as part of any developments involving housing that have a site area of 0.5 ha or greater, while Policy H4 provides for us to seek an affordable element of traveller accommodation from sites of this scale.</p> <p>3.180 Travellers commonly live on pitches providing for a static caravans supported by an amenity block, but Policy H11 Accommodation for Travellers and supporting paragraphs indicate that it may be possible to meet the needs of some traveller households with alternative forms of accommodation that support their lifestyle. It may be possible to offer serviced land to meet the needs of traveller households, possibly in conjunction with serviced plots for self-build and custom build. The extent of any resources available to the traveller community is not known, so the Council may allow developers to test the strength of interest in serviced plots for private traveller accommodation before a decision is made on whether provision should be made on any particular large site.</p>
MM32	110	3.242	<p>Amend text as follows:</p> <p><u>'We consider that there are already identified sites with potential to meet provide more than 2,200 places in student housing from 2016/17 to 2030/31, which is over 90% of the student housing target. The Council's housing trajectory (included in the Local Plan as Appendix 4) London SHLAA</u></p>

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			<p>indicates that student housing forms the predominant supply of additional non self-contained housing in London, and that Camden has a pipeline of sites with planning permission for expected to deliver over 900 1,000 additional student housing places from 2016/17 to 2020/21 (SHLAA Appendix 4). The pipeline represents sufficient deliverable sites to meet the target for student housing for the first five years of the Local Plan period. Camden's Site Allocations Document 2013, the Fitzrovia Area Action Plan and the Euston Area Plan also designate further sites where student housing could be developed, in most cases as part of a mixed-use scheme. Together we consider <u>The housing trajectory indicates</u> that these represent sufficient developable sites to meet the <u>provide 1,300 places in</u> student housing target for over the subsequent ten years of the Plan period. <u>A full review of the Site Allocations document is expected to commence when the current Local Plan proceeds to adoption, and will identify any further sites needed to meet the student housing target in full over the entire Plan period.'</u></p>
MM33	123	Policy H11	<p>Amend the third paragraph as follows:</p> <p>'We will identify deliverable sites to meet or exceed Camden's projected need for two to seven additional pitches for the established traveller community by 2020/21 and seek to identify developable sites or broad locations to meet Camden's projected need for a further seven to nine additional pitches by 2030/31.'</p>
MM34	124	Policy H11	<p>Delete the fourth paragraph:</p> <p>'In accordance with Policies H4 and H6, where housing is proposed as part of a development of 0.5 ha or greater, we will expect the development to provide accommodation for Camden's established traveller community, and may seek affordable accommodation for this community as part or all of the affordable housing contribution.'</p>
MM35	124	3.286 and 3.287	<p>Amend text as follows:</p> <p>3.286 'The Camden Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014 (the Accommodation Assessment) indicated that up to 16 additional pitches could <u>will</u> be required for Camden's established traveller community by 2031. This is made <u>up of</u> of up households on the waiting list for pitches and the anticipated growth in the number of households from 2013 to 2031. Households on the waiting list.....'</p> <p>3.287 '.....In the interim, the Plan presents <u>adopts</u> the <u>full</u> need for additional pitches <u>from the Accommodation Assessment, namely seven</u> as a range. Based on the history of overcrowding at one of the existing sites, we have assessed the minimum need as two additional pitches by 2021 (with a maximum of seven), and a further seven <u>nine additional pitches from 2021-31 (with a maximum of nine),</u></p>

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			to give a total of nine <u>sixteen</u> additional pitches minimum over the whole period (with a maximum of 16). .'
MM36	125/ 126	3.291	Amend text as follows: '.... Through this process, we aim to identify sufficient land to accommodate from two to seven traveller households. The land is likely to take the form of a number of small sites rather than a single large site.'
MM37	126/ 127	3.295 - 3.297	Delete paragraphs 3.295, 3.296 and 3.297: 3.295 Seeking accommodation for travellers in conjunction with large developments involving other types of housing offers the best prospect for bringing forward suitable land and securing an appropriate relationship between relatively low density accommodation for travellers and the higher densities we would generally expect for more conventional housing development (under Policy H1 Maximising housing supply). National planning policy for traveller sites indicates that councils should promote more private traveller site provision while recognising that there will always be those travellers who cannot provide their own sites. Consequently, Policy H6 Housing choice and mix seeks the inclusion of traveller accommodation as part of any developments involving housing that have a site area of 0.5 ha or greater, while Policy H4 provides for us to seek an affordable element of traveller accommodation from sites of this scale. 3.296 In some cases we may seek affordable traveller accommodation and forego private accommodation, depending on the resources available to the community. Any accommodation for travellers is likely to be a relatively low density and low value use, and the inclusion of affordable accommodation would be expected to have a substantial impact on viability. We therefore recognise through Policy H4 that affordable accommodation for travellers would be provided in place of some or all the affordable housing we would otherwise seek to meet general needs. 3.297 Policy H6 (Housing choice and mix) also expects large development sites involving housing to provide serviced plots for people wishing to build their own homes. If engagement with the traveller community shows that lightweight forms of construction could provide living accommodation suitable to meet travellers' needs it may be possible for provision to be made in conjunction with serviced plots for self-build and custom build.
MM38	138	Policy C2	Amend criterion a as follows: '.....The Council will: a) require development that increases the demand for community facilities and services to make appropriate contributions towards enhancing existing provision. seek <u>planning obligations to secure new and improved community</u>

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			<u>facilities and services to mitigate the impact of developments. The Council may also fund improvements to community facilities using receipts from the Community Infrastructure Levy where this is identified on the Council's CIL Funding List;</u>
MM39	139	Policy C2	Amend criterion g.i. as follows: g.i. a replacement facility of a similar nature is provided that meets the needs of the local population <u>or its current, or intended, users;</u>
MM40	139/ 140	4.26	Amend paragraph 4.26 and insert new paragraph 4.26A as follows: 4.26 <u>The Council will seek section 106 planning obligations, where it is legitimate to do so, to ensure that the additional demand a development places on existing community infrastructure and services is met. The Council began collecting the Community Infrastructure Levy (CIL) on 1 April 2015 and over the plan period, this will provide funding towards community infrastructure alongside site-specific planning obligations to mitigate the impact of individual schemes projects identified on the Council's CIL Funding List (sometimes referred to as the 'Regulation 123 List') shows which projects and infrastructure the Council intends will be funded from CIL. The Funding List sets out the infrastructure projects and types of infrastructure to which CIL funding will be applied and which, by default, section 106 planning obligations will not be sought. The Funding list It will be updated in light of changing priorities and the availability of funding. It is expected that the ward-level element of CIL may be used to enhance local community facilities. When we use Section 106 agreements, we will take into account viability as a factor in determining the types of facilities or services which are required and the timeframe in which these can be delivered. The Council will also use strategies relating to the accommodation requirements of the public and voluntary sectors when establishing need and local priorities for community infrastructure identified through consultation on neighbourhood and ward CIL spending. The Council has developed a ward member-led spending system for the local element of CIL. It is expected that a significant proportion of this income will provide funding for community infrastructure.</u> 4.26A <u>When we use Section 106 agreements, we will take into account viability as a factor in determining the types of facilities or services that are required and the timeframe in which these can be delivered. In addition, the Council recognises that the pooling of planning obligations is limited to a maximum of five section 106 agreements per infrastructure project or type of infrastructure. The Council will also not seek contributions for community infrastructure and services from small scale and self-build developments in line with the circumstances set out in the National Planning</u>

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			<u>Practice Guidance. The Council will use strategies relating to the accommodation requirements of the public and voluntary sectors when establishing need and local priorities for community infrastructure identified through consultation on neighbourhood and ward CIL spending.</u>
MM41	144	4.44	Amend text as follows: 'Where an alternative community use cannot be found for the existing facility, the Council will seek the provision of affordable housing as its preferred alternative use. <u>Community facilities generally have a relatively low capital value compared with housing sites. We will seek the maximum reasonable amount of affordable housing in accordance with Policy H4, having regard to financial viability. We will expect the proportion of affordable housing to reflect the value of the development site in its former community use.</u> '
MM42	147	Policy C3	Amend the first paragraph and the delete the second as follows: 'The Council will <u>seek to protect cultural and leisure facilities and manage the impact of adjoining uses where this is likely to impact on their continuing operation</u> valued by the community, including protected groups and which are an important identity of the Borough or local area, cultural variety and richness, health and wellbeing, townscape, heritage and the economy. We will also protect cultural and leisure uses, particularly Camden's live music venues and theatres, from other conflicting uses which are likely to adversely impact their continued operation.'
MM43	147	Policy C3	Amend fourth paragraph as follows: 'Exceptionally it may be practicable for a cultural or leisure facility to be re-provided elsewhere <u>on-site through redevelopment, or elsewhere in the Borough</u> . The Council will take the following into account.....'
MM44	148	4.55	Amend section title and text as follows: Retaining valued cultural and leisure facilities 'The Council will seek to retain cultural and leisure facilities taking into account their value to the community including protected groups . In assessing planning applications, we will consider the effects of the proposal on both the local area and the wider borough and whether the loss of a use would be detrimental to the range of leisure and cultural facilities, including specific cultural and leisure activities (e.g. live music), where appropriate. <u>We will also consider whether the scheme would be detrimental to health and well-being through the loss of facilities which provide meeting spaces</u>

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			<u>for the community.</u> We will take into account any planned new facilities which may address a shortfall in provision.'
MM45	149	4.61	Amend text as follows: 'When a proposal would result in the loss of existing cultural <u>or leisure</u> uses, we will take into account the size, layout and design of the existing facility, the mix of uses in the area and proposals for the re-instatement of a cultural or leisure facility <u>on-site</u> or elsewhere. It is considered that scope.....'
MM46	152	Policy C4	Amend text as follows: 'The Council will <u>seek to</u> protect public houses which are of community, heritage or townscape value. The Council will not grant planning permission for proposals for the change of use, redevelopment and/or demolition of a public house unless it is demonstrated to the Council's satisfaction that: a. the proposal would not result in the loss of pubs which are valued by the community (including protected groups), or which make a valuable contribution to the historic environment or character of the local area <u>unless there are equivalent premises available capable of meeting the community's needs served by the public house; or</u> b. equivalent premises capable of meeting the community needs served by the public house are available <u>there is no interest in the continued use of the property or site as a public house and no reasonable prospect of a public house being able to trade from the premises over the medium term.</u> c. there is no interest in the continued use of the property or site as a public house; d. there is no reasonable prospect of a public house being able to trade from the premises in the next 5 years.'
MM47	154	4.79	Amend text as follows: 'There are many instances in London of a struggling pub being turned around by new operating models and management. This includes pubs being run as a community social enterprises. The Council will require applicants to demonstrate to the Council's satisfaction there is no reasonable prospect of the pub being able to trade from the existing premises in the medium term (ie the next five years) . We will require details.....'

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MM48	166	Policy E1	Amend criterion g iii as follows: iii. safeguarding the <u>Kentish Town</u> borough's main Industry Area;
MM49	171/ 172	5.32	Amend text as follows: 'In response to the factors above, the Council will continue to protect industrial and warehousing sites and premises that are suitable and viable for continued use and to safeguard the identified <u>Kentish Town</u> Industry Area. <u>This is a large area with a mix of industrial uses and no housing, making it particularly suited for continued industrial employment use (see also paragraph 5.44).</u> We will support proposals for.....'
MM50	173	Policy E2	Amend criterion e as follows: e. it is demonstrated to the Council's satisfaction that any relocation of businesses supporting the CAZ or the local economy will not cause harm to CAZ functions or Camden's local economy <u>and will be to a sustainable location</u> ;
MM51	174	Policy E2	Amend last paragraph as follows: 'Where proposals in Hatton Garden would increase total gross internal floorspace by more than 200 sq m, we will seek to negotiate up to 50% of the additional floorspace as affordable premises suitable for the jewellery sector.'
MM52	175	5.41	Amend text as follows: '..... The loss of a business supporting the CAZ or the local economy as part of a redevelopment scheme will only be permitted if it is demonstrated that it is possible for the existing business to be relocated to a sustainable location and that this would not cause harm to CAZ functions or Camden's local economy. <u>(Further guidance on business uses considered to support the CAZ is set out in the Mayor of London's Central Activities Zone Supplementary Planning Guidance.) Redevelopment should retain as far as possible existing businesses that desire to remain on the site, and in particular retain industrial and warehouse/logistic uses that support the functioning of the CAZ or the local economy.</u> The re-provided employment floorspace on the proposal site should be designed flexibly.....'
MM53	176	After para 5.43	Insert new paragraph 5.43B as follows: <u>5.43B Where provision of SME workspace has been agreed as part of a development, the Council will seek to secure this via the use of planning obligations. We will also seek to secure through a planning obligation an element of affordable SME workspace from large scale employment developments with a floorspace of 1,000 sq m or more. The cost per square foot or per workstation that would be considered affordable will vary according to a range of</u>

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			<p><u>factors such as location, type, quality etc. Where workspace has been specified as affordable, the Council's Economic Development Team will work with developers to agree appropriate terms of affordability on a case by case basis. The following are examples of ways in which affordability could be considered:</u></p> <ul style="list-style-type: none"> <u>an element of the space could be provided at less than 80% of comparable market values. (However, for many sectors and locations in Camden rents will need to be lower than this to make them affordable to target occupiers.);</u> <u>a sponsorship programme through which a number of local businesses are able to access space at reduced rents for an agreed period;</u> <u>an average of market rents paid by tenants in the area occupying an equivalent type and quality of space.</u> <p><u>The Council will also consider alternative suggestions made by developers.</u></p>
MM54	176	5.44	<p>Amend text as follows:</p> <p>'The Council will retain the <u>Kentish Town</u> Industry Area for industrial and warehousing uses as set out in Policy E1, by resisting any proposals that would lead to the loss of sites in Use Classes B1(b), B1(c), B2 and B8 and sui generis uses of a similar nature. Part of the Industry Area is in low density employment use. The Council will consider higher intensity redevelopment proposals for employment uses for the use classes identified within this paragraph. <u>Redevelopment proposals for the Industry Area will be assessed in accordance with Policy E2. The inclusion of other priority uses, as set out in criterion h, will not be required as part of any redevelopment scheme; however the inclusion of such uses could form part of</u> Any <u>development proposals that would provided that they introduce uses that would not</u> will be resisted. prejudice the successful operation of businesses in the area.'</p>
MM55	177	5.50	<p>Amend text as follows:</p> <p>'Where redevelopment proposals would increase total gross floorspace by more than 200 sq m, we will seek to negotiate up to <u>50% of additional floorspace as affordable premises suitable for the jewellery sector. In such cases the Council will expect rents for the designated jewellery space to be no more than the average of market rents for B1c space in jewellery use in Hatton Garden and will seek to negotiate lower rents where possible.</u> When the provision of workspace is not possible.....'</p>
MM56	178	Policy E3	<p>Amend criterion d as follows:</p> <p>d. expect <u>encourage</u> large-scale tourism development and visitor accommodation to provide training and employ Camden residents;</p>

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MM57	179	5.56	<p>Amend text as follows:</p> <p>'The Council will guide tourism development that is likely to attract large numbers of people to Camden's part of Central London, particularly the growth areas of King's Cross, Euston, Holborn and Tottenham Court Road. <u>The Council will generally consider large-scale developments to be those that provide additional floorspace of 1,000 sqm or more.</u> For tourism developments in Fitzrovia.....'</p>
MM58	189	Policy A2	<p>Amend criteria a and b as follows:</p> <ul style="list-style-type: none"> a. protect all designated public and private open spaces as shown on the Policies Map and in the accompanying schedule <u>unless equivalent or better provision of open space in terms of quality and quantity is provided within the local catchment area.</u> b. safeguard <u>open space</u> land greater than 400sqm on housing estates while allowing flexibility for the re-configuration of land uses. When assessing development proposals on this land we will apply the following criteria <u>take the following into account:</u> <ul style="list-style-type: none"> i. the effect of changes in the proposed scheme on the size, siting and form of existing open space on the amenity value of the land and the functions it performs; ii. open space improvements which would benefit existing estate residents whether the open space is replaced by equivalent or better provision in terms of quantity and quality; iii. wider community benefits from the re-configuration of land, including the provision of affordable housing 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 open space.'
MM59	189	Policy A2	<p>Amend criterion f as follows:</p> <ul style="list-style-type: none"> 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 <u>or to the setting of heritage assets.</u>
MM60	189	Policy A2	<p>Insert new criterion after criterion h and renumber subsequent criteria:</p> <p><u>'x. 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;'</u></p>
MM61	190	Policy A2	<p>Amend criterion m as follows:</p> <ul style="list-style-type: none"> m. give priority to securing new public open space on-site, with provision off-site near to the development only

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			considered acceptable where provision on-site is not achievable. If there is no realistic means of direct provision, the Council will <u>may</u> accept a financial contribution in lieu of provision.
MM62	190	6.32	<p>Amend text as follows:</p> <p>‘It is important that we protect the public and private open spaces designated on the Local Plan Policies Map, as well as areas of land on housing estates with the potential to be used as public open space. They are a limited resource and highly valued by the community. There will be increased pressure on this space from the anticipated growth in Camden’s population. <u>Camden’s open space designations include outdoor sports provision, including playing fields and ancillary facilities, which the Council will seek to protect, maintain and enhance.</u> The Council’s Open Space, Sport and Recreation Study (2014) provides further information relating to the attributes of individual open spaces. <u>The loss of an open space will only be acceptable where provision of equivalent or better space is made within an appropriate catchment area for the type of open space. Catchment distances are set out in Camden Planning Guidance 6.</u>’</p>
MM63	190	6.33	<p>Amend text as follows:</p> <p>‘Camden has many large housing estates with extensive areas of amenity land. This has generally not been formally designated as open space but constitutes a potential resource for providing enhanced public or communal space. The Council will continue to retain suitable land, whilst providing the flexibility for various land uses to be re-configured across the estate. <u>The Council wishes to protect this land, while allowing for the reconfiguration of open space and other land uses across estates where significant public benefits have been demonstrated (for example provision of new homes, schools and other community benefits), in particular for residents of the estate. The Council will consider whether such schemes provide equivalent or better provision in terms of the quality and quantity of usable open space and secure improvements to the accessibility and range of uses. This can bring enhancements where land set within housing estates is of poor quality, badly arranged or offers limited value in terms of open space functions for which it can used.</u>’</p>
MM64	191	6.37	<p>Amend text as follows:</p> <p>‘Development within rear gardens and other undeveloped areas can have a significant impact upon the amenity and character of the area. <u>The Council will protect such spaces in accordance with paragraph 74 of the National Planning Policy Framework.</u> Gardens help shape their local area, provide a setting for buildings, provide visual interest and may support natural habitats. Therefore they can be an important element in the character and identity of an area (its ‘sense of place’). We will resist development that</p>

Ref	Page	Policy/ Paragraph	Main Modification
			occupies an excessive part of the garden, and where there is a the loss of garden space which contributes to the character of the townscape. Part of the established character of these spaces may also be defined through features such as railings and garden walls. We will seek the retention of these features where they make a positive contribution to townscape value.'
MM65	193	New para 6.41A	<p>Insert new paragraph 6.41A after 6.41:</p> <p><u>6.41A The Council recognises that the need for sports and recreation provision can change over time. The Council will consider proposals for alternative provision of such uses where a need has been demonstrated to its satisfaction and this need outweighs the loss of the existing provision. The proposal will also be assessed taking into account its impact on the integrity on the open space and against other relevant policies.</u></p>
MM66	193	6.45	<p>Delete the existing paragraph and replace with text below:</p> <p>We will secure contributions from all schemes considered to generate a demand for public open space. This will normally be achieved through the use of planning obligations, however the Community Infrastructure Levy (CIL) may in some cases be used to pool funding for parks and open space improvement projects identified by the Council. The Council will apply the standard to take account of any CIL contributions where necessary to ensure development schemes are not required to fund improvements to the same open space through planning obligations and CIL.</p> <p><u>The Council will seek Section 106 planning obligations, where it is legitimate to do so, to ensure that the additional demand a development places on existing open spaces is met. In some cases the Community Infrastructure Levy will be used to provide funding for open space improvements identified by the Council on the CIL Funding List. Where the Council negotiates a planning obligation, we will apply the standards set out in criterion I. Planning obligations will not be sought for open space projects which are included in the CIL Funding List. In addition, the Council recognises that the pooling of planning obligations is limited to a maximum of five section 106 agreements per infrastructure project or type of infrastructure. The Council will also not seek contributions for open space from small scale and self-build developments in line with the circumstances set out in the National Planning Practice Guidance.</u></p>
MM67	212	Policy A5	<p>Amend criteria n to v as follows:</p> <p>'The Council will require applicants to demonstrate that proposals for basements:</p> <p>n. maintain the structural stability of the building and neighbouring properties do not harm neighbouring properties, including requiring the provision of a</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>basement impact assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight';</u></p> <p>o. avoid adversely affecting drainage and run-off or causing other damage to the water environment;</p> <p>p. do not harm the structural stability of the host building, neighbouring buildings or the water environment in the local area;</p> <p>p q. avoid cumulative impacts;</p> <p>q r. do not harm the amenity of neighbours;</p> <p>r s. provide satisfactory landscaping, including adequate soil depth;</p> <p>s t. do not harm the appearance or setting of the property or the established character of the surrounding area;</p> <p>t u. protect important archaeological remains; and</p> <p>u v. do not prejudice the ability of the garden to support trees where they are part of the character of the area.'</p>
MM68	214	After para 6.118	<p>Insert new section title and paragraphs after paragraph 6.118:</p> <p><u>Burland Scale</u></p> <p><u>6.118A Where a BIAs 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 or 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.</u></p> <p><u>6.118B In the Burland Scale the damage to properties caused by subsidence may be considered in three broad categories:</u></p> <ul style="list-style-type: none"> <u>• (i) visual appearance or aesthetics,</u> <u>• (ii) serviceability and function, and</u> <u>• (iii) stability.</u> <p><u>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. 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</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>Scale 1 'very slight'.</u>
MM69	234/ 235	Policy D2	<p>Amend the policy text as follows:</p> <p>[...]</p> <p>Designated heritage assets</p> <p><u>'Designated heritage assets include Conservation Areas and listed buildings.</u> The Council will not permit the loss of or substantial harm to a designated heritage asset 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:.....'</p> <p>Conservation areas</p> <p><u>'Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'Designated Heritage Assets'.</u> 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.....'</p> <p>Listed Buildings</p> <p><u>'Listed Buildings are designated heritage assets and this section should be read in conjunction with the section above headed 'Designated Heritage Assets'.</u> To preserve or enhance the borough's listed buildings, the Council will.....'</p> <p>Archaeology</p> <p>'The Council will protect remains of archaeological importance by ensuring acceptable measures are taken <u>proportionate to the significance of the heritage asset</u> to preserve them and their setting, including physical preservation, where appropriate.'</p> <p>[...]</p>
MM70	232	7.41	<p>Amend text as follows:</p> <p>'..... The National Planning Policy Framework states that in decision making local authorities should give great weight to conservation of designated heritage assets <u>in a matter appropriate to their significance</u>. 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.'</p>
MM71	235	7.42	<p>Amend text as follows:</p> <p>'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</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>following areas of work:</p> <ul style="list-style-type: none"> • Conservation Area Management Strategies: The Council works with the Conservation Area Advisory Committees to update <u>and support the implementation</u> of strategies. • Heritage at Risk: The Council identifies buildings and structure at risk and proactively <u>seeks to conserve</u> seeks their preservation <u>and where required bring back into viable use</u>, 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: <u>Conservation-Preservation and enhancement</u> 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.'
MM72	259	Policy CC2	<p>Amend criterion g as follows:</p> <p>g) expecting <u>encouraging</u> 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</p>
MM73	261	8.47	<p>Amend text as follows:</p> <p>'BREEAM (Building Research Establishment Environmental Assessment Method) applies to non-residential developments and residential development arising from conversions and changes of use. This assessment method is <u>a tool that enables the Council</u> us to assess the environmental sustainability of a development.'</p>
MM74	261	8.49	<p>Amend text as follows:</p> <p>'The Council has been successfully applying a minimum of Very Good BREEAM domestic refurbishment. The <u>sustainability of residential development arising from conversions, extensions and changes of use can be assessed through the use of BREEAM domestic refurbishment. We will</u> expect <u>encourage</u> developments of five or more dwellings or 500 sqm of residential floorspace or above <u>resulting from</u> (including conversions, extensions and changes of use) to achieve an excellent rating in BREEAM domestic refurbishment.'</p>

Ref	Page	Policy/ Paragraph	Main Modification
MM75	261/ 262	8.50	<p>Amend the text as follows:</p> <p><u>'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 shall achieve a BREEAM rating of Excellent from 2016 and will encourage zero carbon from 2019.'</u></p>
MM76	263/ 268	Policy CC3 and para 8.71	<p>Amend criterion f as follows:</p> <p>'not locate vulnerable development (such as basement dwellings) in flood-prone areas.'</p> <p>Amend paragraph 8.71 as follows:</p> <p>'Basements can affect the ability of the ground to absorb rain when soil is replaced by an impervious structure and can be particularly susceptible to flooding. In such cases the use of basements may be restricted to non-habitable uses. The Council will not permit basement schemes which include habitable rooms and other sensitive uses for self-contained basement flats and other underground structures in areas prone to flooding (Policy A5 Basements). The Council shall require all new basement developments.....'</p>
MM77	268	8.69	<p>Amend text as follows:</p> <p><u>'Camden's Strategic Flood Risk Assessment includes information as to the suitability of SuDS in the borough and this should be used alongside other local information held by Camden and the Environment Agency. Where appropriate, SuDS measures will be secured by planning condition or by legal agreement. The Environment Agency published in 2016 updated climate change allowances including those for peak rainfall, which should be factored into any flood risk assessments.'</u></p>
MM78	270	8.79	<p>Amend the fifth bullet point as follows:</p> <ul style="list-style-type: none"> • developments that include biomass boilers or CHP (combined heat and power) <u>and connections to existing decentralised energy networks (whereby the increased capacity is not already covered by an existing AQA);</u> and
MM79	277	9.5	<p>Add new section before heading 'Growth areas':</p> <p><u>'Specialist Shopping Areas</u></p> <ul style="list-style-type: none"> • <u>Covent Garden</u> • <u>Fitzrovia and south-west Bloomsbury</u> • <u>Hatton Garden</u> • <u>Museum Street</u> • <u>Denmark Street'</u>

Ref	Page	Policy/ Paragraph	Main Modification
MM80	277/ 278	Policy TC1	<p>Amend sixth section of the policy as follows:</p> <p>‘Neighbourhood centres, specialist shopping areas and small shops outside of centres:</p> <ul style="list-style-type: none"> • appropriate provision in Neighbourhood Centres and Camden’s Specialist Shopping Areas: Covent Garden, Hatton Garden, Museum Street, Drummond Street and Denmark Street, and • limited provision of small shops outside centres to meet local needs.’
MM81	278	Policy TC1	<p>Amend the first paragraph in the section on ‘Sequential Approach’ as follows:</p> <p>‘The Council will apply a sequential approach to retail and other town centre uses outside of the areas listed above to support Camden’s network of centres. Retail and other town centre uses should be located in <u>designated</u> centres according to the hierarchy above. Only if suitable sites cannot be found within <u>designated</u> centres will the Council consider edge of centre locations or if no edge of centre locations are available, out of centre locations.’</p>
MM82	278	After para 9.9	<p>Insert new paragraphs 9.9A and 9.9B:</p> <p><u>9.9A The sequential approach applies to sites outside of designated centres. The Local Plan does not require that retail development seeks sites within the designated centres in any hierarchical order, provided the development meets the policy objectives for each centre as described in the policy. For example, there is no need for retail development to be directed to Growth Areas before Town Centres, or to Town Centres before Central London Frontages.</u></p> <p><u>9.9B For the Central London Specialist Retail Shopping Areas of Covent Garden, Fitzrovia and south-west Bloomsbury, Hatton Garden, and Museum Street, sites should be sought within the designated frontages, not the wider boundary. Proposals for new retail development within these areas that are not within the designated frontage will be considered to be in an out of centre location.</u></p>
MM83	281	Policy TC2	<p>Insert additional paragraph after criterion g:</p> <p><u>‘The Council’s expectations for the mix and balance of uses within frontages for each designated centre are set out in Appendix 3.’</u></p>
MM84	282	9.16	<p>Amend text as follows:</p> <p>‘The Council will protect and enhance the role and character of each of Camden’s centres by assessing proposals against this policy and the centre specific guidance set out in <u>Appendix 3</u> and supplementary planning document Camden Planning Guidance 5: Town Centres, Retail and Employment. Camden Planning Guidance 5 <u>Appendix 3</u> sets out the mix of uses that the Council expects on primary and secondary</p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p>frontages, including:</p> <ul style="list-style-type: none"> • the minimum proportions of shops (A1 use); and • the maximum proportions of food, drink and entertainment uses (A3, A4, A5 uses).'
MM85	287	Policy TC4	<p>Add new criterion after c and renumber subsequent criteria:</p> <p><u>'x: the Council's expectations for the mix and balance of uses within frontages for each centre are set out in Appendix 3.'</u></p>
MM86	287/ 291	Policy TC4 and para 9.47	<p>Delete criterion e and renumber subsequent criterion accordingly:</p> <p>e. whether development results in a proliferation of payday loan stores, betting shops, or pawnbrokers</p> <p>Delete the last section in Policy TC4 as follows:</p> <p>Betting shops, payday loan shops and pawnbrokers</p> <p>To prevent the proliferation of betting shops, payday loan stores and pawnbrokers which harm the vitality and viability of our centres, the Council will generally resist schemes which result in more than one betting shop, payday loan store, or pawnbroker within 400m distance of the same use."</p> <p>Amend paragraph 9.47 as follows:</p> <p><u>'The number of betting shops, payday loan stores and pawnbrokers has increased in Camden in recent years. Some centres have areas where a number of these uses are concentrated, including the south end of Camden Town and parts of Kilburn High Road (including properties in Brent). The Council considers that <u>a the proliferation of such use is damaging these uses could damage</u> the character, <u>vitality and viability</u> of town centres. <u>The Council will therefore monitor the number and impact of betting shops, payday loan stores, and pawnbrokers over the plan period and consider whether evidence shows there is a need to introduce limits on such uses in the future.</u>'</u></p>
MM87	287	Policy TC4	<p>Amend criterion f as follows:</p> <p>f. the health impacts of development, including generally resisting development of hot food take aways within 400m of secondary schools;</p> <p>Amend paragraph 9.44 and the section title as follows:</p> <p>Health impacts Hot food takeaways</p> <p><u>'In line with the National Planning Policy Framework the Council believes that the planning system can play an important role in facilitating healthy communities. One issue</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
			<p><u>of particular importance in the borough is childhood obesity and the Council seeks to tackle childhood obesity this issue and encourage healthy eating habits, particularly among young people.</u> The Council is undertaking a range of programmes aimed at improving the food environment in the borough. While the causes of obesity are complex there is evidence to support that energy dense fast food is one of a number of contributing factors to obesity. <u>The Council will therefore consider the health impacts of the development of new hot food take aways in the borough.</u> Resisting the proliferation of hot food takeaways close to secondary schools is one of a number of strategies to reduce child obesity and encourage healthy eating.</p>
MM88	300	Policy T1	<p>Amend the first paragraph in the section on 'Public Transport' as follows:</p> <p><u>'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 the 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.'</u></p>
MM89	302	10.12	<p>Amend text as follows:</p> <p><u>'In partnership with Transport for London, which manages the bus-public transport network across London, the Council will ensure that Camden's growth is matched by improvements to bus services, where required. This will include contributions to the provision of new bus facilities (for example, bus stops and improved bus services) where appropriate. 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.'</u></p>

Ref	Page	Policy/ Paragraph	Main Modification
MM90	305	10.20	<p>Amend text as follows:</p> <p>‘In redevelopment schemes, the Council will consider retaining or reproviding 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. <u>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.</u>’</p>
MM91	-	New Appendix 3	Add a new Appendix on town centre frontages, as detailed below
MM92	-	New Appendix 4	Add a new Appendix with the updated housing trajectory, as set out below.

Appendix 3: Town Centre Frontages

Town Centres, Central London Frontages, and Specialist Retail Areas

The Council seeks to protect the retail function of town centres by ensuring there is a minimum proportion of premises in A1 retail (shop) use. In addition in some locations the Council seeks to manage the mix and balance of uses, and the impact of food, drink, and entertainment uses by setting maximum proportion of these uses. The proportion of A1 shop and A3, A4, and A5 food, drink, and entertainment uses the Council expect for primary and secondary frontages is set out on the table below. This policy should be read in conjunction with the detailed centre specific guidance in Camden Planning Guidance 5 Town Centre and Retail.

Centre	Frontage type Displayed on the Policies Map	A1 shops Minimum proportion of A1 shops in each individual frontage	A3 A4 A5 food, drink, and entertainment uses Maximum proportion of A3, A4, and A5 uses combined in each individual frontage	A3 A4 A5 food, drink, and entertainment uses and other non retail uses Other restrictions
Town Centres				
Camden Town	Primary (north)	Min 50%	Max 20%	No more than 2 consecutive non retail uses
	Primary (south)	Min 75%	Max 20%	No more than 2 consecutive non retail uses
	Secondary	Min 50%	-	-
	Sensitive	-	Max 30%	Max 100sqm for food, drink and entertainment uses
West Hampstead	Primary	Min 75%	Max 25%	No more than 2 consecutively in a frontage
	Secondary	Min 50%	Max 25%	No more than 2 consecutively in a frontage
Finchley Road	Primary	Min 75%	Max 20%	-
	Secondary	Min 50%	-	-
Kentish Town	Primary	Min 75%	-	No more than 2 consecutive non retail uses
	Secondary	Min 50%	-	No more than 3 consecutive non retail uses
Kilburn	Primary	Min 75%	-	No more than 2 consecutive non retail uses
	Secondary	Min 50%	-	No more than 3 consecutive non retail uses
Hampstead	Primary	Min 75%		No more than 2 consecutive non retail uses
	Secondary	Min 50%		No more than 3 consecutive non retail uses
Central London Frontages				
Tottenham Court Road	Primary	Min 80%	-	-
	Secondary	Min 66%	-	-
Holborn	Primary	Min 50%	Max 25%	-
	Secondary	-	Max 40%	-
King's Cross	Primary	-	No further food, drink and entertainment uses	-
	Secondary	-	Max 50%	-

Specialist Retail Areas				
Covent Garden	Primary	Min 80%	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses
	Secondary	-	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses
Fitzrovia and South West Bloomsbury	Primary	Min 80%	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses
	Secondary	-	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses
Hatton Garden	Primary	No loss of A1 retail	-	-
Museum Street	Primary	No loss of A1 retail	-	-
Denmark Street	Primary	No loss of A1 retail	-	-

Note: The frontage controls apply to each individual frontage, e.g. where the table above states Minimum 75% A1 retail in a primary frontage it means there must be a minimum of 75% A1 shops in each individual primary frontage in that centre, rather than a minimum of 75% of A1 retail in all primary frontages in that centre.

NEIGHBOURHOOD CENTRES

Large-scale retail development (over 1,000m²) and late night licensed entertainment will generally be inappropriate in Neighbourhood Centres due to the impact of deliveries, noise and customers on residential amenity.

Neighbourhood Centres will be considered suitable locations for food and drink uses of a small scale (generally less than 100m²) that serve a local catchment, provided they do not harm the surrounding area."

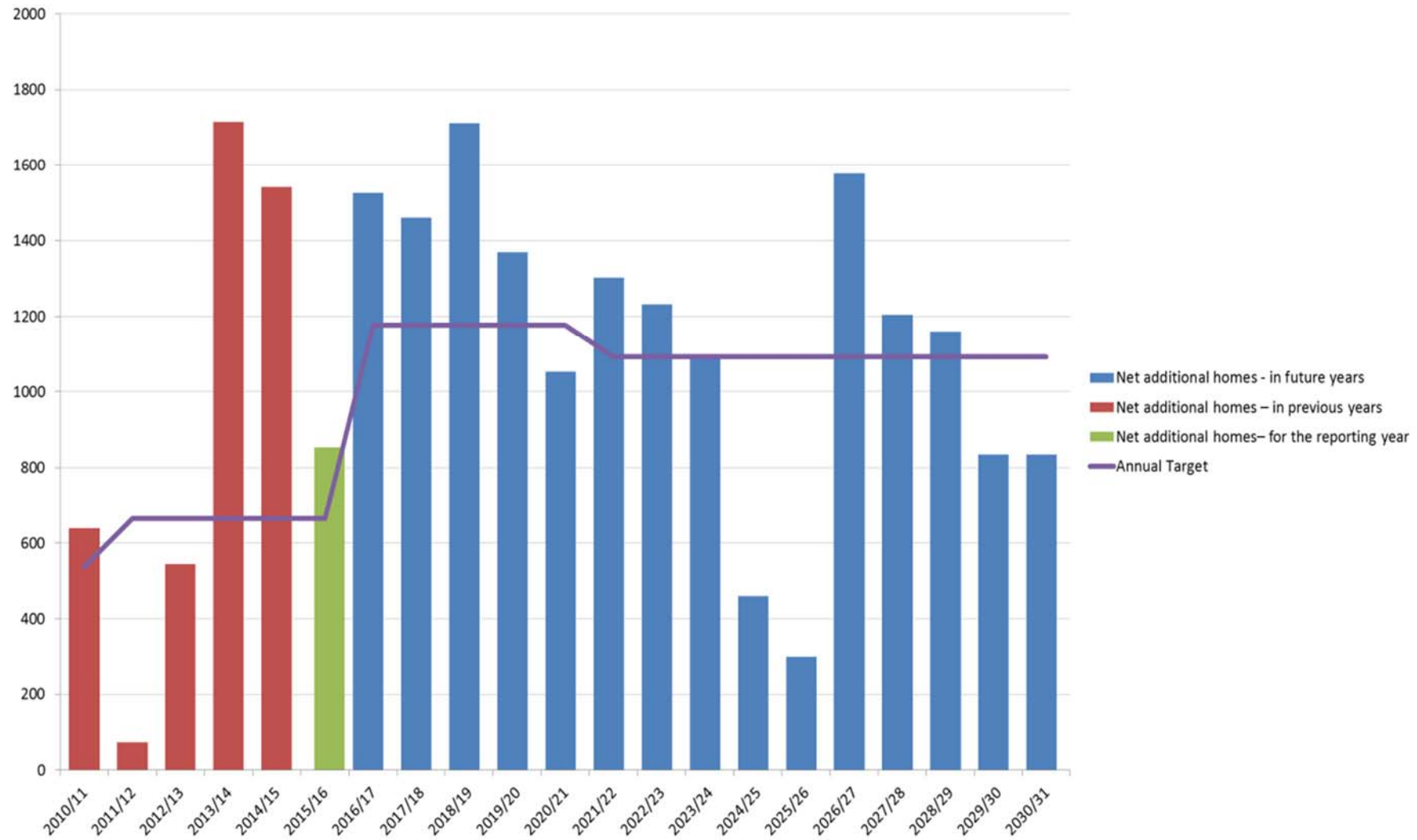
NEIGHBOURHOOD CENTRES OUTSIDE OF THE CENTRAL ACTIVITY ZONE

As a guide the Council will resist schemes that result in:

- less than 50% of ground floor premises being in retail use; or
- more than 3 consecutive premises being in non-retail use.

Centre	A1 shops Minimum proportion of A1 shops in each individual frontage	A3 A4 A5 food, drink, and entertainment uses Maximum proportion of A3, A4, and A5 uses combined in each individual frontage	A3 A4 A5 food, drink, and entertainment uses and other non retail uses Other restrictions
Brunswick Centre	Min 50%	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses
Chalton Street	Min 50%	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses
Cleveland Street	Min 50%	Max 25%	
Drummond Street	Min 50%		Additional food, drink, and entertainment uses acceptable subject to the assessment of impacts.
Eversholt Street (North and South)	Min 50%		Additional food, drink, and entertainment uses acceptable subject to the assessment of impacts.
Goodge Street	Min 50%	Max 25%	
Lamb's Conduit Street	Min 50%	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses
Leather Lane	Min 50%	Max 25%	
Marchmont Street / Leigh Street / Tavistock Place	Min 50%	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses
Store Street	Min 50%	Max 25%	Max 100sqm No more than 2 consecutive food, drink, or entertainment uses

Appendix 4 - Camden Housing Trajectory 2016



List of allocated sites, other sources of housing supply, the year(s) of delivery and the total annual housing supply

<div> <div></div> <div>= cells showing expected year of delivery of allocated sites</div> </div>	5 year housing land supply					10 years					15 years					15 yr
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	
Allocated Sites																
Middlesex Hospital Annex, Cleveland St WC1																
Arthur Stanley House, 44-50 Tottenham St, W1																
Astor College, 99 Charlotte Street (student bedrooms)																
6-17 Tottenham Court Road & others																
61-63 Tottenham Court Road & 1-7 and 11-13 Goodge Street																
Hawley Wharf, Water Lane and 39-45 Kentish Town Rd.																
Westminster Kingsway College, Regents Park Centre, Longford St.																
Bangor Wharf, Georgiana Street																
57-71 Pratt Street, 10-15 Georgiana Street and Royal College Street																
Former Nurses Hostel, 29 New End																
Phoenix Place WC1																
Royal Mail Sorting Office, 21-31 New Oxford St WC1																
St Giles Circus/Denmark Place (inc 126-40 Charing Cross Rd) WC2H																
Herbal House, 10 Back Hill, EC1R 5LQ																
12-42 Southampton Row & 1-4 Red Lion Square (former Central St Martin College)																
Land Bound by New Oxford Street, Museum Street and West Central Street																
Former BR Staff Club, College Lane																
19-37 Highgate Road, Day Centre, former Lensham House (A&A Storage) 25 and 37 Greenwood Place																
Kentish Town Police Station, 10A,12A, 14 Holmes Road																
Fire Station 20 Highgate Road																
Belsize Road Car Park (as part of Abbey Area – Phase 1 2 & 3(Car Park, Health Centre, Hinstock & Eminster)																
277a Grays Inn Road																
Land bound by Wren Street, Pakenham Street, Cubitt Street, Langton Walk																
Euston Station and tracks																
EAP - Camden cutting																

	= cells showing expected year of delivery of allocated sites	5 year housing land supply					10 years					15 years					15 yr
		2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	
132-140 and 142 Hampstead Rd, NW1 (BHS Warehouse)																	
Granby Terrace																	
110-122 Hampstead Road (Former National Temperance Hospital)																	
Land at Goldsmith's House and adjoining land, Cumberland Market Estate, Park Village East/ Augustus St																	
Kings Cross Railway Lands																	
Kings Cross Central - Triangle Site																	
Elizabeth Garrett Anderson Hospital, 124-54 Euston Rd WC1																	
1-39 Drummond Crescent (Euston Traffic Garage)																	
4 St Pancras Way, St Pancras Hospital																	
24-58 Royal College Street (Parcel Force Worldwide Depot)																	
100 Avenue Road, Swiss Cottage																	
187-199 West End Lane NW6 (West End Lane 1)																	
156 West End Lane NW6 (West End Lane 2)																	
O2 car park																	
Senate House																	
Total Site Allocations (self-contained)		384	319	711	378	293	592	522	300	90	85	1,068	790	775	450	450	7,207
Other Local Authority sites providing additional housing through CIP		400	400	200	250	250	200	200	200	150							2,250
Kentish Town Regis Road Growth Area (based on initial discussions)						325	325	325	325								1,300
Other self-contained dwellings with permissions at April 2015		554	554	554	554												2,216
Windfall projections (small sites that do not yet have an allocation or permission)						185	185	185	185	185	185	185	185	185	185	185	2,035
Total Site Allocations (student bedrooms)				60					80	35	30	325	230	200	200	200	1,360
Other student bedrooms with permission at April 2015		218	218	218	218												872
Hostel bedrooms with permission at April 2015		-31	-31	-31	-31												-124
Grand total		1,525	1,460	1,712	1,369	1,053	1,302	1,232	1,090	460	300	1,578	1,205	1,160	835	835	17,116
Annual Local Plan Target (with 5% buffer for 2016/17 – 2020/21)		1176	1176	1176	1176	1176	1092	1092	1092	1092	1092	1092	1092	1092	1092	1092	16,800

Appendix B

28 Redington Road,
London NW3 7RB

Basement Impact Assessment
Audit

For
London Borough of Camden

Project Number: 12336-98
Revision: D1

Date: September 2016

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1.0 NON-TECHNICAL SUMMARY

- 1.1. CampbellReith was instructed by London Borough of Camden, (LBC) to carry out an audit on the Basement Impact Assessment submitted as part of the Planning Submission documentation for 28 Redington Road (planning reference 2016/2997/P). The basement is considered to fall within Category B as defined by the Terms of Reference.
- 1.2. The Audit reviewed the Basement Impact Assessment for potential impact on land stability and local ground and surface water conditions arising from basement development in accordance with LBC's policies and technical procedures.
- 1.3. CampbellReith was able to access LBC's Planning Portal and gain access to the latest revision of submitted documentation and reviewed it against an agreed audit check list.
- 1.4. This BIA has been carried out by MM with separate reports for groundwater and seismic cone penetration testing being prepared by third parties. The qualifications of the authors of the reports have not been identified. These should be provided to confirm that they comply with CPG4.
- 1.5. It is intended to demolish the existing property and replace it with a six storey structure with a basement. Proposals for the demolition of the existing building have been opposed by residents and three technical reports have been prepared on their behalf. These are considered in this audit report alongside the BIA.
- 1.6. As described above, the basement proposals shown in architect's drawings and described in the BIA are contradictory and clarification is required.
- 1.7. The screening exercise identified a number of potential impacts as unknown, however, these were not taken through the scoping and investigation stages. This process should be completed and any potential impacts assessed.
- 1.8. A ground investigation was carried out, however, no interpretation has been provided to inform the design of the basement and superstructure. It should be demonstrated that the investigation has correctly identified the groundwater regime.
- 1.9. Surface water drainage calculations identify the need for the attenuation of surface water flow from the site. Further information is now required to show how and where this might be accommodated. It is recommended that a CCTV survey to assess the existing lines, their condition and their suitability for the proposed works will be also required.
- 1.10. There are numerous properties within the vicinity of No. 28 Redington Road with basements. One of these is No. 26 Redington Road where planning permission has been granted to lower

an existing basement level in 2013. Consideration must be given to the localised and cumulative impacts of the basement proposals on groundwater flows.

- 1.11. No structural calculations and drawings have been presented within the BIA. The BIA should contain outline information relating to the sequence of construction, the form of the temporary and permanent works, and the stability and nature of retaining walls and slabs so that the feasibility of the proposals is demonstrated. Ground floor sections and details along the site boundaries will also need to be submitted to demonstrate how stability will be maintained. Proposals should include dewatering and a consideration of its impacts.
- 1.12. It has not been demonstrated that the ground movements around the excavation will be controlled to avoid imposing damage to the neighbouring properties. Once the form and sequence of construction are determined, a ground movement assessment should be carried out with building damage assessments prepared for all potentially affected structures. The control of the ground movement is also dependent on a monitoring regime which needs to be implemented. Outline proposals should be provided.
- 1.13. With reference to Dr. M. H. de Freitas' report (p. 8) it is accepted that there are potential slope stability concerns to the proposed development. This does not comply with LBC development policy documentation and as such the developer will be required to demonstrate this to the contrary. The presence of nearby spring lines and near surface water is also to be confirmed.
- 1.14. The proposed basement footprint will be kept outside the root area of existing mature trees and access/unloading of plant and materials during construction will be planned as not to impact on any of these. Mitigation measures for this should be in place and included within the Construction Management Plan prepared by the Contractor prior to tender.
- 1.15. An indicative construction programme is required.
- 1.16. Queries and requests for further information are discussed in Section 4 and summarised in Appendix 2.

2.0 INTRODUCTION

2.1. CampbellReith was instructed by London Borough of Camden (LBC) on 23rd August 2016 to carry out a Category B Audit on the Basement Impact Assessment (BIA) submitted as part of the Planning Submission documentation for 28 Redington Road, London NW3 7RB, planning reference 2016/2997/P.

2.2. The Audit was carried out in accordance with the Terms of Reference set by LBC. It reviewed the Basement Impact Assessment for potential impact on land stability and local ground and surface water conditions arising from basement development.

2.3. A BIA is required for all planning applications with basements in Camden in general accordance with policies and technical procedures contained within

- Guidance for Subterranean Development (GSD). Issue 01. November 2010. Ove Arup & Partners.
- Camden Planning Guidance (CPG) 4: Basements and Lightwells.
- Camden Development Policy (DP) 27: Basements and Lightwells.
- Camden Development Policy (DP) 23: Water.

2.4. The BIA should demonstrate that schemes:

- a) maintain the structural stability of the building and neighbouring properties;
- b) avoid adversely affecting drainage and run off or causing other damage to the water environment;
- c) avoid cumulative impacts upon structural stability or the water environment in the local area, and;

evaluate the impacts of the proposed basement considering the issues of hydrology, hydrogeology and land stability via the process described by the GSD and to make recommendations for the detailed design.

2.5. LBC's Audit Instruction described the planning proposal as *"Erection of a 4 storey plus basement building (with accommodation at 4th floor level within the roof) to provide 8 flats (1x1 bed, 5x2 bed, 1x3 bed and 1x4 bed) including front balcony and rear roof terraces, hard and soft landscaping and 7 basement car parking spaces with car lift, following demolition of the existing building (Class C3)".* The Audit Instruction also confirmed that the building itself is not listed. The nearest listed building to the site is No. 16 Redington Road.

2.6. CampbellReith accessed LBC's Planning Portal on 29th August 2016 and gained access to the following relevant documents for audit purposes:

- Basement Impact Assessment (BIA, July 2016, rev: E) incorporating Geotechnical and Geo-environmental Desk Study, Factual Report on Ground Investigation and Ground Investigation Report.
- Surface Water Drainage Calculations and Surface Water Pro Forma.
- Jo Cowen Architects Planning Application Drawings consisting of
 - Location plan
 - Existing plans, elevations and sections
 - Proposed plans, elevations and sections
- Camden BIA Audit Form Part ABC.

2.7. A number of consultation comments were provided to CampbellReith by Camden on 5th September 2016. These included three technical reports prepared on behalf of neighbours which are considered in this audit. The remaining consultation responses generally echo the issues raised in those technical reports. The consultation responses provided by Camden are detailed in Appendix and the technical reports are listed below:

- First Steps Report for 28 Redington Road by Dr M. H. de Freitas (August 2016), commissioned by No 26 Redington Road.
- Eldred Geotechnics Ltd. reviews of planning application 2016/2997/P to Camden Council with respect to 26 Redington Road and 30 Redington Road and Camden development policy DP27 (August 2016), commissioned by 26 and 30 Redington Road.

3.0 BASEMENT IMPACT ASSESSMENT AUDIT CHECK LIST

Item	Yes/No/NA	Comment
Are BIA Author(s) credentials satisfactory?	No	The qualifications of the BIA authors have not been identified.
Is data required by Cl.233 of the GSD presented?	No	Proposal not sufficiently detailed. Contradictory information presented.
Does the description of the proposed development include all aspects of temporary and permanent works which might impact upon geology, hydrogeology and hydrology?	No	Proposal not sufficiently detailed. Contradictory information presented.
Are suitable plan/maps included?	Yes	Relevant plans and extracts are contained within BIA.
Do the plans/maps show the whole of the relevant area of study and do they show it in sufficient detail?	Yes	
Land Stability Screening: Have appropriate data sources been consulted? Is justification provided for 'No' answers?	Yes	Refer to table 2.2 of the BIA.
Hydrogeology Screening Have appropriate data sources been consulted? Is justification provided for 'No' answers?	No	Refer to table 2.1 of the BIA. Q4 not answered (and subsequent question numbering incorrect) but this question is answered in respect of surface water.
Hydrology Screening: Have appropriate data sources been consulted? Is justification provided for 'No' answers?	Yes	Refer to table 2.3 of the BIA.
Is a conceptual model presented?	Yes	Ground conditions are described in section 4 of Appendix D (Ground Investigation Report) of the BIA report.
Land Stability Scoping Provided? Is scoping consistent with screening outcome?	No	Considers ground investigation only.

Item	Yes/No/NA	Comment
Hydrogeology Scoping Provided? Is scoping consistent with screening outcome?	Yes	Scoping has been carried out and focus of ground investigation described.
Hydrology Scoping Provided? Is scoping consistent with screening outcome?	No	Scoping considers ground investigation only.
Is factual ground investigation data provided?	Yes	A ground investigation has been incorporated in Appendix C of the BIA.
Is monitoring data presented?	Yes	Monitoring results and records have been provided within Appendix C of ESG Factual Report. This is incorporated in Appendix C of the BIA.
Is the ground investigation informed by a desk study?	Yes	Refer to Appendix A of the BIA.
Has a site walkover been undertaken?	Yes	See above.
Is the presence/absence of adjacent or nearby basements confirmed?	No	No investigation of the existing foundations to the neighbouring properties has been carried out. Camden Council confirmed to CampbellReith locations of neighbouring basements (granted planning permission) around 28 Redington Road. A copy of this is included in this document.
Is a geotechnical interpretation presented?	No	Further information required. Refer to section 4 (Discussion) of this document for details.
Does the geotechnical interpretation include information on retaining wall design?	No	No critical design parameters for the retaining wall design have been presented / tabulated. Further information required. Refer to section 4 (Discussion) of this document.
Are reports on other investigations required by screening and scoping presented?	No	Screening suggests potential impacts related to slopes and neighbouring foundations – not investigated further.
Are the baseline conditions described, based on the GSD?	Yes	Refer to section 2 of the BIA.

Item	Yes/No/NA	Comment
Do the base line conditions consider adjacent or nearby basements?	No	No information on neighbouring building foundations has been presented.
Is an Impact Assessment provided?	Yes	However, this does not comply with the requirements of CPG4.
Are estimates of ground movement and structural impact presented?	No	Report discussing potential movements arising from piling, excavation and short and long term heave movements etc. will be required with subsequent damage assessment. Analysis software input and output with design assumptions need to be included.
Is the Impact Assessment appropriate to the matters identified by screen and scoping?	No	
Has the need for mitigation been considered and are appropriate mitigation methods incorporated in the scheme?	No	Some mitigation is described but it is brief and generic. Further detail is required once impact assessment completed.
Has the need for monitoring during construction been considered?	No	Details of monitoring and trigger levels for contingency actions during construction are required.
Have the residual (after mitigation) impacts been clearly identified?	No	Further information is required.
Has the scheme demonstrated that the structural stability of the building and neighbouring properties and infrastructure will be maintained?	No	Further information is required.
Has the scheme avoided adversely affecting drainage and run-off or causing other damage to the water environment?	No	Design proposals and details to be submitted.
Has the scheme avoided cumulative impacts upon structural stability or the water environment in the local area?	No	Further information is required.
Does report state that damage to surrounding buildings will be no worse than Burland Category 2?	No	

Item	Yes/No/NA	Comment
Are non-technical summaries provided?	No	

4.0 DISCUSSION

- 4.1. This BIA has been carried out by Mott Macdonald with separate reports for ground investigation and seismic cone penetration testing being prepared by Environmental Scientifics Group Ltd (ESG). The qualifications of the authors of the reports have not been identified. These should be provided to ensure that they comply with CPG4 requirements.
- 4.2. CampbellReith was provided with a number of objectors comments including three technical reports as described in Section 2. These consultation responses have been reviewed and the issues raised considered. A list of the most relevant Residents' Consultation Comments is attached in Appendix 1 of this document.
- 4.3. The proposed development comprises of the demolition of an existing 4 storey building to construct a new 6 storey residential development with a single storey rear extension. The architect's drawings appear to show the level of the rear garden is being reduced with the basement having two levels at the rear and one at the front. However, the BIA states that the maximum basement depth might be as much as 12m.
- 4.4. Although no structural drawings (including construction sequence and temporary works) have been submitted, it is understood that current proposals allow for the footprint of the new structure to be extended significantly into the rear garden with a new perimeter retaining secant piled wall to form the basement. It should be noted that MM's proposal for secant piled wall is contradicted by the information provided by the architect whose drawings appear to show a reinforced concrete retaining wall. An objection raised by Mr M Eldred in relation to No 26 Redington Road refers to a party wall being demolished. Works are to be clarified and a construction methodology provided that secures the stability of the boundary is to be provided.
- 4.5. The screening exercise omits Q4 of the hydrogeology section, although it is acknowledged that this question is answered in respect of hydrology. The answer to a number of questions is given as "unknown" including the angle of surrounding slopes, the differential depths between proposed and adjacent foundations, and the potential for changed to inflows received by adjacent properties. This last question in particular appears not to have been understood.
- 4.6. The scoping section of the BIA only considers a ground investigation to establish the groundwater and the sequence of strata. No other investigations are considered despite the number of unknowns identified by the screening exercise.
- 4.7. Trial pits and boreholes have been undertaken to the front and rear of the property to confirm existing ground conditions, ascertain soil design parameters and record groundwater levels for the substructure design. The ground investigation comprised 7No. boreholes to a maximum depth of 20m, 2No. inspection pits and cone penetration testing to a depth of 20m. A site plan

illustrating locations of the above and logs of the investigation holes has been included in the BIA report.

- 4.8. The investigations have identified that the site is underlain by Topsoil and Made Ground to a depth of up to 1.45mbgl below which lies an approximate 4.55m thick layer of Bagshot Formation (to 6.00mbgl). London Clay was recorded from approx. 6.00mbgl to the base of the exploratory holes at a maximum of 20mbgl, however, some variation was noted in the nature of the Superficial Deposits and the depth to the surface of the London Clay. The site investigation did not record existing foundations to adjacent buildings. Where possible, these should be provided to confirm that the extent of the proposed development will have no impact on the structural stability of the adjoining buildings. Alternatively conservative assumptions should be made and the potential impacts assessed.
- 4.9. Groundwater was encountered during the investigations at a minimum level of approx. 6.90mbgl (BH4). Standpipes were installed in boreholes 4 and 5. Based on monitoring results (submitted within Appendix C of the ESG report) further groundwater readings have been noted at a minimum level of 5.79mbgl in BH4 and 4.78mbgl in BH5. Dr de Freitas notes that the standpipes response zones straddle more than one stratum and postulates that there are successive water tables. Groundwater assumptions made in the design of the temporary and permanent works must be clearly stated, accompanied by a description of suitable mitigation measures.
- 4.10. As part of the site investigation works, geotechnical testing has been also carried out. Limited information has been presented within the BIA report and further information is required on critical soil parameters for the retaining wall design, excavation and the potential short and long term ground movements.
- 4.11. The BIA confirms that the proposed site is not within an area at risk of flooding from surface water. It can be assumed that the existing site is served by two combined sewers, one running through the northern area of the site and one along the centre of Redington Road. Surface water drainage calculations and the surface water pro forma are presented and identify the need for attenuation of surface water flow from the site. However, the technique to achieve this and the relevant below ground drainage strategy, drawings and details have not been submitted. It is recommended that MM also commission a CCTV survey to assess existing drainage lines, their condition and suitability for the proposed works.
- 4.12. As noted in Figure 1, there are numerous properties within the vicinity of No. 28 Redington Road that have an existing basement. One of these is No. 26 Redington Road where planning permission was granted to lower an existing basement level further. The scheme was consented in 2013 and it is understood that construction works should have been now completed. There are another 9 properties close to site with completed single storey basements.

24 Redington Grds:
"Demolition of existing dwelling house and the erection of a replacement dwelling house, including the excavation of the basement and associated hard and soft landscaping" (plan. ref: 2016/1015/P)

25 & 26 Redington Grds:
"Demolition of two existing dwellings and erection of two semi-detached dwellings including the excavation for a basement" (plan ref: 2015/3200/P)

20 Heath Drive: "Excavation of basement in connection with the construction of a swimming pool" (plan ref: 9500706)

39 Redington Road: "Excavation of enlarged basement area with 3 rooflights over at ground floor level on the south side of the building and new windows and doors in rear elevation at basement level all in connection with the existing single-family dwellinghouse (Class C3)" (plan. Ref: 2008/2027/P)

22 Redington Road: "Excavation of a basement level to create additional ancillary floorspace for the single family dwellinghouse". (plan. ref: 2005/0876/P)

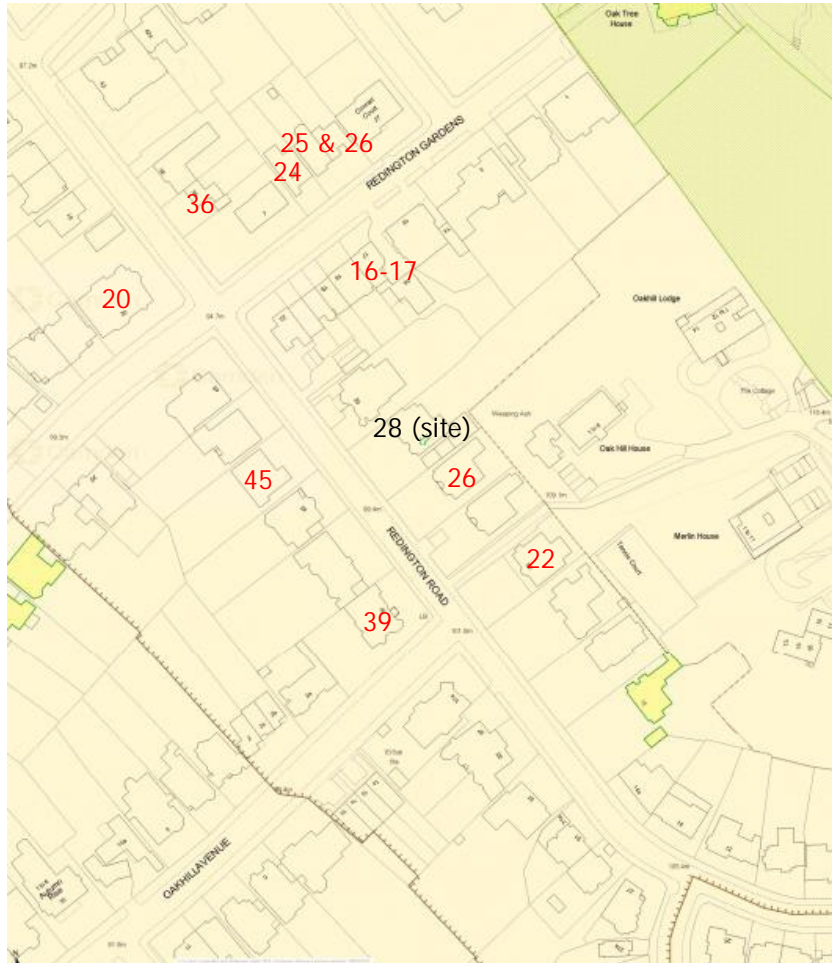


Figure 1 – Extract from "Map of basements granted PP around 28 Redington Road" (Camden Council)

16-17 Redington Gardens:
"Erection of 2 storey dwellinghouse with attic and basement levels (following demolition of two single-family dwellinghouses), associated landscaping and installation of enclosed climate control (or air conditioning) unit in rear garden. (planning ref: 2012/4813/P)

45 Redington Road: "Change of use from 4 x self-contained flats to single-family dwelling house, plus excavation to enlarge existing basement area." (plan. ref: 2004/2735/P)

36 Redington Road:
"Erection of 3-storey including basement 4-bed house, front and rear lightwell and associated landscaping following demolition of existing dwelling." (planning ref: 2015/3004/P)

26 Redington Road:
"Erection of first floor rear extension and ground floor infill extensions to north-east side, alterations to rear, front, north east and south west elevations, lowering existing basement level and excavation of front garden associated with new steps and new front basement windows to single dwellinghouse (Class C3)" (plan. ref: 2013/5996/P)

- 4.13. With reference to Dr. M. H. de Freitas' report, "impounding of groundwater can be expected on the boundary between Nos. 26 and 30 with some rise in water level resulting. The diversion of groundwater around the basement of No. 28 would discharge in a concentrated flow near the entrance of No. 30." It is accepted that this is a possible scenario and the developer should demonstrate the absence of an impact or describe suitable mitigation measures. As well as local effects, the cumulative effect on groundwater flows must be considered. The presence of nearby spring lines and near surface water is also to be confirmed.
- 4.14. A large part of the site is currently landscaped garden containing large trees. Mature trees are present to the front and the rear of the property and along the boundary with No. 30 Redington Road. Some of these have Tree Prevention Orders (TPOs). It is understood that all of these will be retained and the basement footprint will be kept outside their root area so as to avoid any damage. Furthermore, it is necessary that access/unloading of plant and materials during

construction does not an impact on any of these and mitigation measures (to ensure that the construction of the basement will have minimal impact on trees) should be in place and included within Construction Management Plan prepared by the Contractor prior to tender.

- 4.15. For the temporary and permanent works designs, outline drawings and calculations are required to confirm the assumptions made with respect to soils and groundwater. A construction methodology and sequence are required to demonstrate that the basement proposals are feasible. The retaining walls and basement will have to be designed to resist hydrostatic forces and the basement as a whole checked against any net uplift. Temporary stability of the excavation also requires consideration as well as the possible need for and impacts from dewatering. The information recorded within the site investigation report should be incorporated within these calculations and typical retaining wall and slab structural sections provided. Details along the site boundaries need to be carefully considered and added.
- 4.16. Horizontal deflection to the perimeter of the basement void needs to be limited in both the temporary and permanent conditions. An indicative temporary and permanent works scheme is required to demonstrate proposed restraints to the perimeter piled secant walls to keep movements within allowable limits. MM have not discussed ground movement and building damage in their BIA report and have not demonstrated that resulting ground movements around the excavation can be controlled without imposing damage to the adjacent properties. A ground movement assessment is required once the construction methodology has been determined. Building damage assessments are required for any potentially affected buildings. Outline monitoring proposals are also required.
- 4.17. It is reported that the residents of No. 30 Redington Road experienced problems with groundwater ingress in 2010 and had the premises tanked. Any proposal to address a design solution for No. 28 Redington Road will also have to address and prevent movements which will result in damaging the seal of this tanking.
- 4.18. Dr. de Freitas indicates there are slope stability concerns regarding the proposed development and the BIA has not ascertained the nature of any slopes in the adjacent properties. This requires further investigation and assessment, together with appropriate mitigation measures where necessary.
- 4.19. A works programme should be provided.

5.0 CONCLUSIONS

- 5.1. This BIA has been carried out by MM with separate reports for groundwater and seismic cone penetration testing being prepared by third parties. The qualifications of the authors of the reports have not been identified. These should be provided to confirm that they comply with CPG4.
- 5.2. It is intended to demolish the existing property and replace it with a six storey structure with a basement. Proposals for the demolition of the existing building have been opposed by residents and three technical reports have been prepared on their behalf. These are considered in this audit report alongside the BIA.
- 5.3. As described above, the basement proposals shown in architect's drawings and described in the BIA are contradictory and clarification is required.
- 5.4. The screening exercise identified a number of potential impacts as unknown, however, these were not taken through the scoping and investigation stages. This process should be completed and any potential impacts assessed.
- 5.5. A ground investigation was carried out, however, no interpretation has been provided to inform the design of the basement and superstructure. It should be demonstrated that the investigation has correctly identified the groundwater regime.
- 5.6. Surface water drainage calculations identify the need for the attenuation of surface water flow from the site. Further information is now required to show how and where this might be accommodated. It is recommended that a CCTV survey to assess the existing lines, their condition and their suitability for the proposed works will be also required.
- 5.7. There are numerous properties within the vicinity of No. 28 Redington Road with basements. One of these is No. 26 Redington Road where planning permission has been granted to lower an existing basement level in 2013. Consideration must be given to the localised and cumulative impacts of the basement proposals on groundwater flows.
- 5.8. No structural calculations and drawings have been presented within the BIA. The BIA should contain outline information relating to the sequence of construction, the form of the temporary and permanent works, and the stability and nature of retaining walls and slabs so that the feasibility of the proposals is demonstrated. Ground floor sections and details along the site boundaries will also need to be submitted to demonstrate how stability will be maintained. Proposals should include dewatering and a consideration of its impacts.
- 5.9. It has not been demonstrated that the ground movements around the excavation will be controlled to avoid imposing damage to the neighbouring properties. Once the form and

sequence of construction are determined, a ground movement assessment should be carried out with building damage assessments prepared for all potentially affected structures. The control of the ground movement is also dependent on a monitoring regime which needs to be implemented. Outline proposals should be provided.

- 5.10. With reference to Dr. M. H. de Freitas' report (p. 8) it is accepted that there are potential slope stability concerns to the proposed development. This does not comply with LBC development policy documentation and as such the developer will be required to demonstrate this to the contrary. The presence of nearby spring lines and near surface water is also to be confirmed.
- 5.11. The proposed basement footprint will be kept outside the root area of existing mature trees and access/unloading of plant and materials during construction will be planned as not to impact on any of these. Mitigation measures for this should be in place and included within the Construction Management Plan prepared by the Contractor prior to tender.
- 5.12. An indicative construction programme is required.

Appendix 1: Residents' Consultation Comments

Residents' Consultation Comments

Surname	Address	Date	Issues raised	Response
Eldred Geotechnics Ltd Review of planning application 2016/2997/P to Camden Council with respect to 30 Redington Road and Camden development Policy DP27.	Consulting Engineers 11A Woodside, Chelsfield, Orpington, Kent, BR6 6RJ.	30.08.16	-Application documents of 2016/2997/P do not satisfy the specific policy requirements. -Outbuildings and external areas to No. 30 Redington Road at risk of being damaged from the proposed works. -Risk of flooding from incomplete surface water drainage assessment and lack of details regarding attenuation. -Inadequate information and interpretation of ground and groundwater conditions places unacceptable risk of damage by subsidence and/or groundwater flood to No. 30 Redington Road.	Refer to audit Section 4
Eldred Geotechnics Ltd Review of planning application 2016/2997/P to Camden Council with respect to 26 Redington Road and Camden development Policy DP27.	Consulting Engineers 11A Woodside, Chelsfield, Orpington, Kent, BR6 6RJ.	30.08.16	-Application documents of 2016/2997/P do not satisfy the specific policy requirements. -No. 26 Redington Road at high risk of being damaged from the proposed works. -Option for retaining wall shown in architects drawings considered as unacceptable design solution to proposed scheme. -Potential changes to groundwater regime	Refer to audit Section 4

			not considered.	
First Steps Ltd	Consulting Engineers Unit 17, Hurlingham Studios, Ranelagh Gardens, London, SW6 3PA.	27.08.16	<ul style="list-style-type: none"> - Ground stability concerns. - Understanding of groundwater regime lacking. - Impact of secant piled wall to site's hydrogeology not considered. - Comments on BIA slope stability assessment and various comments on BIA submission. 	Refer to audit Section 4
Redington Frogna Neighbourhood Forum		30.08.16	<p>Numerous concerns were raised over adequacy of BIA including:</p> <ul style="list-style-type: none"> • Qualifications of authors ? • No damage assessment • No engineering calculations • No assessment of cumulative impacts • Lost river 	Refer to audit Section 4
Ashmount Management Company	30 Redington Road, Hampstead, London, NW3 7RB.	31.08.16	Echoes concerns raised by Eldred and First Steps.	Refer to audit Section 4
Zimmerman	26 Redington Road	31.08.16	Echoes concerns raised by Eldred and First Steps.	Refer to audit Section 4

Scheinmann Conway Corners Panayiotou Sanai Bharwani McDouagh Aleskseev	Various	Various	Echoes concerns raised by Eldred and First Steps.	Refer to audit Section 4
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Appendix 2: Audit Query Tracker

Audit Query Tracker

Query No	Subject	Query	Status	Date closed out
1	General / BIA	Author details and qualifications for the relevant sections of the BIA to be provided to confirm they are in accordance with CPG4. Refer to section 4.1 of this document.	Open – to be provided.	
2	General/BIA	Screening, scoping and investigation to be completed. Refer to section 4.5 of this document.	Open – scoping to consider all potential impacts and necessary investigation to be completed.	
3	General / BIA	Works programme not included. Refer to sections 4.19 of this document.	Open – Outline works duration to be provided.	
4	Stability	Structural proposals for the construction of basement to be submitted. Design information and structural proposals for the remaining sub- and superstructure to be confirmed. Refer to sections 4.3, 4.4 and 4.15 of this document.	Open – Ensure basement proposals consistent between documents. Provide structural drawings and calculations for the permanent and temporary works showing proposed construction sequence, dewatering and monitoring assumptions regarding adjacent buildings foundations and critical soil design parameters to be provided. Analysis input, output and design assumptions to be provided.	
5	Stability	Ground movement assessment required with building damage assessments for all potentially affected structures. Refer to sections 4.16 and 4.17 pf this document.	Open	
6	Stability	Concerns to the stability of a side wall adjoining No 26 Redington Road. Refer to Eldred report on impact to No 26.	Open – action to secure wall required.	
7	Stability	Slope stability concerns regarding the proposed development. Refer to section 4.18 of this document.	Open – to be provided.	

8	Groundwater	Details of groundwater will be controlled and stability will be maintained during construction need to be submitted.	Open – to be provided.	
9	Groundwater	Consider the presence of neighbouring basement and the presence of nearby spring lines and near surface water is also to be confirmed. Local and cumulative effects of basement to be assessed. Refer to sections 4.13 of this document.	Open	
10	Surface water	Technique (SUDS etc.) for attenuation of surface water from site and below ground drainage design information required. Refer to section 4.11 of this document.	Open – commission CCTV survey. Provide relevant below drainage strategy, drawings and details.	

Appendix 3: Supplementary Supporting Documents

None

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VAT No 974 8892 43

Peres Da Costa, David

From: GrahamKite@campbellreith.com
Sent: 09 November 2016 17:30
To: Peres Da Costa, David
Cc: KostasZapaniotis@campbellreith.com; camdenaudit@campbellreith.com
Subject: 12336-98 28 Redington Road 2016/2997/P
Attachments: 28RR Comment on BIA Audit Reply Copy.pdf; 161010 MM BIA Letter Copy.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi David

Following rev. D1 of our BIA audit for 28 Redington Road, we have received some supplementary information, which we attach FYI.

Rather than issue another report at this stage, please see the comments below. In Summary, we are still some way to go to close out this audit.

1. Subsequent to the issue of rev. D1 of our audit, Mott MacDonald issued a letter (ref: 28Redington/P/L01; dated: 10.10.16). The individuals concerned in the production of the reports have suitable qualifications in accordance with the requirements of CPG4.
2. The survey issue will clearly not be solved by us. In order to progress the BIA it would be sufficient for the BIA to adopt conservative estimates of the site levels in order to make conservative impact assessments. The BIA should confirm that survey works will be undertaken prior to construction, and the impact assessments updated as appropriate.
3. An outline works duration and programme was not presented. This is to be provided by Linton Group.
- 4-10 Mott MacDonald's response does not address the fundamental requirements of the BIA process, that is to identify potential impacts in advance of planning consent and indicate how they can be safely mitigated. The BIA process does not require detailed design input, but does require sufficient outline design to assess risk / impacts (as referenced in CPG4, GSD Appendix G1 and Appendix G3, DP27, etc)

Regards

Graham Kite

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Appendix C

DR/eo/BS/9676/3.5

16 May 2017

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London
NW3 7RB

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Tel: 0151 430 2340
www.aaprojects.co.uk

Dear Peter

30 Redington Road, London
Daylight/Sunlight Report

Further to our discussions, I can confirm that the results in our Daylight Sunlight Report Rev 1 dated August 2016 for the above property are based on the ground floor of 30 Redington Road being extended in line with a previous Planning Permission. The Syn t egra Daylight Sunlight report prepared for the developer of 28 Redington Road was prepared on the same basis.

I understand from our conversations that the Planning Permission was granted some time ago and the extension is unlikely to be built. As requested, we have therefore modelled 30 Redington Road as existing and rerun the Daylight Sunlight calculations.

The abbreviations used below are:

VSC – Vertical Sky Component

APSH – Annual Probable Sunlight Hours

DD – Daylight Distribution

ADF – Average Daylight Factor

The revised results spreadsheets for the ground floor of number 30 based on the existing building (not extended) are attached. The summary is:

VSC (27% required or a drop of less than 20%)

Bathroom and bedroom windows at front of side elevation pass

Window to babyroom fails – 29% reduction to 11.93%

Window to kitchen fails – 22% reduction to 11.67%

Window to lounge / diner fails – 24% reduction to 11.27%

APSH (25% required in summer or drop of less than 20%)

Bathroom and bedroom windows at front of side elevation pass

Window to babyroom fails – 46% reduction to 13% (summer)

Window to kitchen fails – 24% reduction to 19% (summer)

Window to lounge / diner fails – 31% reduction to 14% (summer). Also fails in winter

Window to rear of lounge / diner also fails

ADF (1% bedrooms, 2% kitchens and 1.5% living rooms required)

Bathroom and bedroom windows at front of side elevation pass

Babyroom fails – 27% reduction to 0.21% (1% required)

Kitchen fails – 14% reduction to 0.75% (2% required)

Lounge / diner passes (due to rear windows)

By comparison, the results based on the extended property (rev 1 report) show three windows fail VSC to two bedrooms and a study (W7 67% drop to 3.49%, W8 79% drop to 0.56% and W9 87% drop to 0.5%). The same windows also fail APSH. The three rooms in question also fail DD and two of the three rooms fail ADF.

The number of rooms and windows affected are therefore very similar in both scenarios. Whilst the reductions and final percentages are worse in the extended scenario, the types of rooms affected in the existing scenario are considered to be far more important (babyroom, kitchen and lounge/diner (existing) compared to 2 bedrooms and a study (extended)).

In my opinion, the results for the existing scenario are therefore worse than the extended scenario due to the type of rooms affected and also more weight could be placed on those results as the extension has not yet been built.

Overall, the Daylight Sunlight results for the ground floor of 30 Redington Road show that the new development does not satisfy the BRE criteria. The reductions in daylight and sunlight are substantial and would be very noticeable and detrimental to the occupiers of the property.

If you do require anything further please do not hesitate to contact me.

Yours sincerely

For AA Projects Ltd



David Radcliffe BSc (Hons) MRICS
Director

Enc Spreadsheets

Project Name: 30 Redington Road
Project No: BS/9676
Report Title: Average Daylight Analysis
Date: 16/05/2017

Floor Ref.	Room Ref.	Room Attribute	Property Type	Room Use.	Window Ref.	Window Attribute	VSC	Pr/Ex	Meets BRE Criteria	Window Orientation	Annual	Pr/Ex	Meets BRE Criteria	Winter	Pr/Ex	Meets BRE Criteria	Total Suns per Room Annual	Meets BRE Criteria	Total Suns per Room Winter	Meets BRE Criteria						
B1																										
Ground	R1	Residential	Bedroom	W1		Existing Proposed	30.72 30.72	1.00	YES	231°	55 55	1.00	YES	15 15	1.00	YES	81 78	YES	24 24	YES						
				W2		Existing Proposed	29.17 29.17	1.00	YES	279°N	*North*		*North*													
				W3		Existing Proposed	32.35 32.35	1.00	YES	232°	64 64	1.00	YES	21 21	1.00	YES										
				W4		Existing Proposed	32.93 32.74	0.99	YES	190°	77 74	0.96	YES	23 23	1.00	YES										
	R2	Residential	Bathroom	W5		Existing Proposed	26.30 25.33	0.96	YES	144°	55 54	0.98	YES	21 21	1.00	YES	55 54	YES	21 21	YES						
				W6		Existing Proposed	14.05 12.68	0.90	YES	144°	35 34	0.97	YES	9 9	1.00	YES										
	R3	Residential	Bedroom	W7		Existing Proposed	16.83 11.93	0.71	NO	144°	24 13	0.54	NO	9 5	0.56	YES	24 13	NO	9 5	YES						
	R4	Residential	Kitchen	W8		Existing Proposed	15.04 11.67	0.78	NO	144°	25 19	0.76	NO	7 6	0.86	YES										
	R5	Residential	Living Room	W9		Existing Proposed	14.78 11.27	0.76	NO	144°	23 14	0.61	NO	2 0	0.00	NO	25 19	NO	7 6	YES						
				W10		Existing Proposed	32.96 28.17	0.85	YES	97°	33 25	0.76	YES	3 0	0.00	NO										
				W11		Existing Proposed	39.21 37.40	0.95	YES	53°N	*North*		*North*													
				W12		Existing Proposed	39.23 37.59	0.96	YES	53°N	*North*		*North*													
				W13		Existing Proposed	34.21 34.21	1.00	YES	16°N	*North*		*North*													
																	42 35	YES	5 0	NO						

Project Name: 30 Redington Road
Project No: BS/9676
Report Title: Average Daylight Analysis
Date: 16/05/2017

Floor Ref.	Room Ref.	Room Attribute	Property Type	Room Use.		Room Area	Lit Area Existing	Lit Area Proposed	Pr/Ex	Meets BRE Criteria
B1										
Ground	R1		Residential	Bedroom	Area m2	23.19	21.55	21.55		
					% of room		93%	93%	1.00	YES
	R2		Residential	Bathroom	Area m2	6.63	6.31	6.31		
					% of room		95%	95%	1.00	YES
	R3		Residential	Bedroom	Area m2	9.10	6.21	4.49		
					% of room		68%	49%	0.72	NO
	R4		Residential	Kitchen	Area m2	11.55	5.47	4.81		
					% of room		47%	42%	0.88	YES
	R5		Residential	Living Room	Area m2	38.76	38.47	38.42		
					% of room		99%	99%	1.00	YES

Project Name: 30 Redington Road
Project No: BS/9676
Report Title: Average Daylight Analysis
Date: 16/05/2017

Floor Ref.	Room Ref.	Room Attribute	Property Type	Room Use.	Window Ref.	Glass Transmittance	Glazed Area	Clear Sky Angle Existing	Clear Sky Angle Proposed	Room Surface Area	Average Surface Reflectance	Below Working Plane Factor	ADF Existing	ADF Proposed	Req'd Value	Pr/Ex	Meets BRE Criteria
B1																	
Ground	R1	Residential	Bedroom	W1-L	0.68	0.76	70.27	70.27	108.82	0.60	0.15	0.08	0.08				
				W1-U	0.68	1.42	70.69	70.69	108.82	0.60	1.00	0.98	0.98				
				W2-L	0.68	0.27	65.29	65.29	108.82	0.60	0.15	0.03	0.03				
				W2-U	0.68	0.64	65.66	65.66	108.82	0.60	1.00	0.41	0.41				
				W3-L	0.68	0.27	66.51	66.51	108.82	0.60	0.15	0.03	0.03				
				W3-U	0.68	0.65	66.88	66.88	108.82	0.60	1.00	0.42	0.42				
				W4-L	0.68	0.27	69.57	69.56	108.82	0.60	0.15	0.03	0.03				
				W4-U	0.68	0.64	69.59	69.59	108.82	0.60	1.00	0.43	0.43	2.41	2.41	1.00	1.00
Ground	R2	Residential	Bathroom	W5	0.68	0.49	58.54	55.92	45.37	0.60	1.00	0.67	0.64				
				W6	0.68	0.49	45.12	41.45	45.37	0.60	1.00	0.51	0.47	1.18	1.11	-1.00	0.94
Ground	R3	Residential	Bedroom	W7	0.68	0.34	38.09	27.97	48.70	0.60	1.00	0.28	0.21				
												0.28	0.21	1.00	0.73	NO	
Ground	R4	Residential	Kitchen	W8	0.68	1.09	44.07	37.90	58.59	0.60	1.00	0.87	0.75				
												0.87	0.75	2.00	0.86	NO	
Ground	R5	Residential	Living Room	W9-L	0.68	0.44	40.96	34.65	142.11	0.60	0.15	0.02	0.02				
				W9-U	0.68	0.65	42.09	36.51	142.11	0.60	1.00	0.20	0.18				
				W10-L	0.68	0.53	72.32	64.08	142.11	0.60	0.15	0.04	0.04				
				W10-U	0.68	0.75	71.62	63.87	142.11	0.60	1.00	0.40	0.36				
				W11-L	0.68	0.37	79.03	77.36	142.11	0.60	0.15	0.03	0.03				
				W11-U	0.68	0.53	77.56	76.06	142.11	0.60	1.00	0.31	0.30				
				W12-L	0.68	0.37	79.12	77.73	142.11	0.60	0.15	0.03	0.03				
				W12-U	0.68	0.53	77.64	76.40	142.11	0.60	1.00	0.31	0.30				
				W13-L	0.68	0.58	74.62	74.62	142.11	0.60	0.15	0.05	0.05				
				W13-U	0.68	0.83	74.77	74.77	142.11	0.60	1.00	0.46	0.46	1.86	1.77	1.50	0.95

Appendix D

ESTIMATE

SCHEME NAME: 28 Redington Road

DATE: 16/05/2017

	Area / Length	Rate per m2 or m (inc contingencies and fees)	Total
150x300 New granite edge kerbs	0		
150x300 Relay granite edge kerbs	0		
300x200 New granite flat kerbs	6		
300x200 Relay granite flat kerbs	0		
300x200 New flat granite dropped kerbs	0		
New ASP flags	0		
New reinforced ASP flags	24		
New yorkstone flags	0		
New asphalt footway	0		
Utility covers in footway	2		
Carriageway resurfacing	0		
Utility covers in carriageway	0		
Asphalt X-over			
Heavy duty asphalt x-over	0		
Temporary Traffic Orders	0		
<u>Additions</u>			
Temporary Road Closures			
Traffic Management			
Setts	6		
SUB TOTAL			£4,939.52