

Statement of Common Ground

October 2017

Planning Inspectorate Reference: APP/X5210/W/16/3165200

Council Reference: 2016/1117/P

Appellant: One Housing Group

Local Planning Authority: London Borough Camden

Bangor Wharf
Georgiana Street
London
NW1 0QS

October 2017

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Appeal Reference: APP/X5210/W/16/3165200

LPA Reference: 2016/1117/P

Date of Inquiry: 21st November 2017

Site Address: Bangor Wharf, Georgiana Street, London Borough Camden, NW1 0QS

Description of Development: Demolition of all buildings on-site and new buildings of 1-6 storeys in height to include 46 residential (C3) units (18 x 1 bed, 19 x 2 bed and 9 x 3 bed) of which 30 market units and 16 affordable, new office (B1a) floorspace (604m² GIA) and associated works to highways and landscaping.

Applicant / Appellant: One Housing Group

Local Planning Authority: London Borough of Camden

Signatories



Chris Pittock.....
Spenthorpe Ltd on behalf of One Housing Group Ltd

Date..... 24.10.17



Jonathan McClue, Principal Planning Officer
London Borough Camden

Date.....24.10.17

1 INTRODUCTION & BACKGROUND

- 1.1 This Statement of Common Ground has been agreed between Spenthorpe Ltd on behalf of One Housing Group ('the Appellant') and London Borough of Camden ('the Council') and sets out the agreed factual information and matters in dispute in relation to planning matters pertaining to LPA reference 2016/1117/P and Planning Appeal APP/X5210/W/16/3165200.
- 1.2 To summarise, this planning appeal relates to the demolition of existing buildings at the appeal site and redevelopment to provide a mixed-use residential-led scheme comprising 46 no. residential units, 604 sq.m (GIA) B1a office floorspace and a landscaped courtyard.
- 1.3 The appeal proposal was submitted to the Council 26th February 2016 and registered as 'valid' 2nd March 2016. The application was provided with Council reference; 2016/1117/P.
- 1.4 In light of comments received from representatives of the Council, a number of amendments were made to the scheme during the course of the determination which are set out in full within the accompanying appeal submission *'list of plans, documents and drawings not forming part of the original planning application submission'*.
- 1.5 The Appellant has continued discussions, as part of the appeal process and in particular this SoCG, to understand if any further information can help address the cited reasons for refusal ('RfR') below:
- RfR No. 4 – Provision of wheelchair Housing.
 - RfR No. 10 – Removal of the Willowtree.
 - RfR No. 15 – Absence of Details Regarding Decentralised Energy Network and BREEAM Assessment (subject to details being within the RfR being secured via S106); and
 - RfR No. 18 – Enhancement of Canal.
- 1.6 Following discussions leading up to the Inquiry it is confirmed by both parties that the above-mentioned reasons for refusal have been addressed and will be withdrawn formally by the Council, subject to details within this SoCG and suggested planning conditions and the completion of a satisfactory S106 planning obligation. In addition, both parties have agreed that the gates can be removed by way of a 'notwithstanding' condition. This element of the appeal proposal is therefore not being contested and RfR 7 is no longer contested as a standalone reason for refusal as the design and layout dispute is being considered together with RfR 6.

- 1.7 In addition to the above, the Appellant is seeking to agree a S106 Agreement with the Council which would address the following reasons for refusal; 11, 12,14, 15, 16 and 17. Both parties are aiming to sign the S106 Agreement at least 10 working days prior to the Inquiry i.e. 11th November or earlier.
- 1.8 Taking into account these amendments the scheme subject to this appeal is summarised as follows:
- “Demolition of all buildings on-site and new buildings of 1-6 storeys in height to include 46 residential (C3) units (18 x 1 bed, 19 x 2 bed and 9 x 3 bed) of which 30 would be market units and 16 affordable, new office (B1a) floorspace (604sqm) and associated works to highways and landscaping.”*
- 1.9 The planning application material forming part of the original submission and attempted subsequent submissions made during the course of determination is set out within Section 2 of this SoCG.
- 1.10 The planning application was determined by Officer delegated decision and refused by way of decision notice dated 17th June 2016 for the reasons stated below.
- 1.11 It should be noted that the reasons for refusal that have been struck through have been formally withdrawn by the Council, as per paragraph 1.6 above. With regards to refusal no. 7, reference to the proposed gates has also been struck through as the Appellant has agreed to the removal of the gate and hence this aspect of the planning appeal is no longer contested by the Council. The reasons for refusal below have been updated to reflect the Camden Local Plan 2017 adopted on 3 July 2017. The updated policies are in **bold**.

REASON FOR REFUSAL 1 – LOSS OF EMPLOYMENT

*The proposed development, due to loss of employment space and the quality and type of space provided, would fail to support growth in economic activity in Camden and result in the loss of employment opportunities within the borough contrary to **policies E1 (Economic development) and E2 (Employment premises and sites) of the Camden Local Plan 2017, Policies 2.15 and 4.2 of the London Plan 2016 and paragraphs 14, 17 and 18-23 of the National Planning Policy Framework 2012***

REASON FOR REFUSAL 2 – HOUSING MIX

The proposed development, by reason of the small proportion of family sized units in the

residential mix, would fail to contribute to the creation of mixed and inclusive communities, contrary to **policies H7 (Large and small homes) of the Camden Local Plan 2017** and policy 3.8 of the London Plan 2016.

REASON FOR REFUSAL 3 – QUALITY OF RESIDENTIAL ACCOMMODATION

A number of the proposed residential units by reason of the poor quality of their access to outlook, light, external amenity space and due to overlooking and privacy issues, would result in sub- standard accommodation, which would be harmful to the amenities of future occupiers, contrary to **policies A1 (Managing the impact of development) and D1 (Design) of the Camden Local Plan 2017** and policy 3.5 of the London Plan 2016.

REASON FOR REFUSAL 4 – PROVISION OF WHEELCHAIR HOUSING

~~The proposed development, by reason of not providing 10% of the units in accordance with wheelchair housing standards, would fail to give access to a range of housing types suitable for people with mobility difficulties, contrary to **policy H6 (Housing choice and mix) of the Camden Local Plan 2017** and policy 3.8 of the London Plan 2016.~~

REASON FOR REFUSAL 5 – PROVISION OF AFFORDABLE HOUSING

The proposed development, by reason of the quantum, tenure and quality of the affordable housing proposed, would fail to maximise the contribution of the site to the supply of affordable housing in the borough, contrary to **policies H4 (Maximising the supply of affordable housing) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017**, policies 3.8, 3.10, 3.11 and 3.12 of the London Plan 2016 and paragraphs 47, 50 and 173 of the NPPF 2012.

REASON FOR REFUSAL 6 - HEIGHT, MASS, SCALE AND DETAILED DESIGN

The proposed development, by virtue of its height, mass, scale and detailed design, would be detrimental to the streetscene, canalside setting and the character and appearance of the wider area while failing to either preserve or enhance the character and appearance of the Regent's Canal Conservation Area, contrary to **policies G1 (Delivery and location of growth), D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017**.

REASON FOR REFUSAL 7 – ACTIVE FRONTAGE TO GEORGIANA STREET

~~The proposed development, by reason of its design, layout and addition of gates, which fail to maximise the active frontage to Georgiana Street, would be detrimental to the streetscene and the character and appearance of the Regent's Canal Conservation Area, and would fail to~~

~~increase perceptions of safety and reduce the opportunities for crime, contrary to policies C5 (Safety and security), C6 (Access), D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.~~

REASON FOR REFUSAL 8 – TYPE AND LAYOUT OF CYCLE PARKING

~~The proposed development, by reason of the type of cycle parking and its layout and location, would discourage the ownership and use of cycles as a sustainable form of transport, contrary to policies T1 (Prioritising walking, cycling and public transport), T3 (Transport Infrastructure) of the Camden Local Plan 2017.~~

REASON FOR REFUSAL 9 – OUTLOOK, PRIVACY AND DAYLIGHT FOR EXISTING RESIDENTS

~~The proposed development, due to its height, massing, positioning of windows and balconies/terraces and proximity and relationship with the western boundary, would result in a material loss of outlook, privacy and daylight as well as having an overbearing impact and an increased sense of enclosure on the occupiers at 54 Georgiana Street and 118-142 Royal College Street, contrary to policies G1 (Delivery and location of growth) and A1 (Managing the impact of development) of the Camden Local Plan 2017.~~

REASON FOR REFUSAL 10 – REMOVAL OF THE WILLOW TREE

~~The proposed development, by reason of the removal of a prominent Willow tree that makes a significant contribution to the character and amenity of the area without sufficient justification or replacement, would result in harm to the character and appearance of the site, its canal setting, the wider area and the character and appearance of the Regent's Canal Conservation Area, contrary to policies A3 (Biodiversity), D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.~~

REASON FOR REFUSAL 11 – ABSENCE OF LEGAL AGREEMENT TO SECURE CONSTRUCTION MANAGEMENT PLAN

~~The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, would be likely to give rise to conflicts with other road users, and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T4 (Sustainable movement of goods and materials) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.~~

~~REASON FOR REFUSAL 12 – ABSENCE OF LEGAL AGREEMENT TO SECURE CONTRIBUTIONS TOWARDS HIGHWAYS WORKS AND PUBLIC REALM AND ENVIRONMENTAL IMPROVEMENTS~~

~~The proposed development, in the absence of a legal agreement to secure contributions towards public highway works and public realm and environmental improvements would be likely to harm the borough's transport and public realm infrastructure and fail to contribute to the promotion of sustainable pedestrian and cycling movements, contrary to **policies A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.**~~

~~REASON FOR REFUSAL 13 – ABSENCE OF LEGAL AGREEMENT TO SECURE TRAVEL PLAN~~

~~The proposed development, in the absence of a travel plan, would be likely to give rise to significantly increased car-borne trips, contrary to **policies A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.**~~

~~REASON FOR REFUSAL 14 – ABSENCE OF LEGAL AGREEMENT TO SECURE CAR FREE DEVELOPMENT~~

~~The proposed development, in the absence of a legal agreement to secure a car-free development, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and would fail to provide access for people with mobility difficulties, contrary to **policies T2 (Parking and car free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.**~~

~~REASON FOR REFUSAL 15 – ABSENCE OF DETAILS REGARDING DECENTRALISED ENERGY NETWORK AND BREEM ASSESSMENT~~

~~The proposed development, in the absence of details regarding the feasibility of connecting to a decentralised energy network, a BREEAM assessment for the commercial areas, opportunities to reduce water consumption, drainage calculations and details relating to SuDs to meet Greenfield run-off rates, along with the failure to reach CO2 reduction targets and due to the absence of a legal agreement to secure any of the above, would fail to be sustainable in its use of resources, contrary to **policies G1 (Delivery and location of growth), CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.**~~

~~REASON FOR REFUSAL 16 – ABSENCE OF LEGAL AGREEMENT TO SECURE ENERGY EFFICIENCY AND RENEWABLE ENERGY PLAN~~

~~The proposed development, in the absence of a legal agreement to secure an Energy Efficiency and Renewable Energy Plan, would fail to be sustainable in its use of resources, contrary policies G1 (Delivery and location of growth), C1 (Health and wellbeing), CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding), CC4 (Air quality) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.~~

~~REASON FOR REFUSAL 17 – ABSENCE OF LEGAL AGREEMENT TO SECURE LOCAL EMPLOYMENT AND APPRENTICESHIPS AGREEMENT~~

~~The proposed development, in the absence of a legal agreement to secure a local employment and apprenticeships agreement will be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area, contrary to policies E1 (Economic development), E2 (Employment premises and sites) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.~~

~~REASON FOR REFUSAL 18 – ENHANCEMENT OF CANAL~~

~~The proposed development, by reason of the lack of services, infrastructure, landscaping and enhancement of the canalside site, would fail to prioritise the waterspace and promote its use for water and transport as well as neglecting to enhance its canal setting, contrary to policies G1 (Delivery and location of growth), A2 (Open space), D1 (Design), D2 (Heritage) and T4 (Sustainable movement of goods and materials) of the Camden Local Plan 2017 and Policies 7.24 and 7.27 of the London Plan 2016.~~

2 DOCUMENTS TO BE CONSIDERED AS PART OF THE APPEAL

2.1 The planning application subject to this appeal was submitted with the following documentation:

- Planning applications forms, including completed ownership and article 12 agricultural holdings certificates;
- The requisite application fee of £21,560;
- Site location plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of north;
- CIL forms;
- Design and access statement, prepared by TM Architects;

- Heritage and townscape appraisal, prepared by Kevin Murphy Associates;
- Transport statement and travel, prepared by Vectos
- Daylight & sunlight assessment, prepared by CHP Surveyors;
- Preliminary ecological assessment, prepared by Wardell Armstrong;
- Arboricultural implications assessment, prepared by broad oak tree consultants;
- Statement of community involvement, prepared by Curtin & Co;
- Flood risk assessment & sustainable drainage strategy, prepared by Conisbee;
- Environmental noise & vibration assessment planning report, prepared by Sharpes Redmore;
- Verified views, prepared by Soluis;
- Ground investigation report incorporating land contamination report, prepared by GEA;
- Affordable housing statement, prepared by GL Hearn;
- Air quality assessment, prepared by Mayer Brown;
- Energy & sustainability assessment, Couch Perry Wilkes.
- Planning statement, prepared by Spenthorpe Ltd; and
- Viability assessment, prepared by BNP Paribas.
- Viability assessment addendum report, dated 23rd March, BNP Paribas

- Application drawings prepared by TMA, as follows;
 - 194/PL01/P2 Site Location Plan, TMA
 - 194/PL02/P2 Existing Site Plan, TMA
 - 194/PL03/P2 Existing Building Elevations and Sections, TMA
 - 194/PL04/P2 Proposed Site Layout, TMA
 - 194/PL05/P3 Proposed Ground Floor Plan, TMA
 - 194/PL06/P3 Proposed First Floor Plan, TMA
 - 194/PL07/P3 Proposed Second Floor Plan, TMA
 - 194/PL08/P3 Proposed Third Floor Plan, TMA
 - 194/PL09/P3 Proposed Fourth Floor Plan, TMA
 - 194/PL10/P3 Proposed Fifth Floor Plan, TMA
 - 194/PL101/P3 Building Demolition Plan, TMA

- 194/PL11/P3 Proposed Roof Plan, TMA
- 194/PL12/P3 Proposed Elevations sheet 1, TMA
- 194/PL14/P3 Proposed Elevations sheet 3, TMA
- 194/PL15/P2 Proposed Sections, TMA; and
- 194/PL16/P2 Landscape Proposals, TMA
- 194/PL101/P2 Building Demolition Plans, TMA; and
- 194/PL102/P2 Building Demolition Elevations & Sections, TMA
- SoCG 01 - Drawing Illustrating Wheelchair Apartment Types
-
- SoCG 02 - Arboricultural Implications Assessment
-
- SoCG 03 – BREEAM Pre-Assessment
-
- SoCG 04 – BREEAM Pre-Assessment Estimator
-
- SoCG 05 – BREEAM Assessment Tracker
-
- SoCG 06 – BREEAM Water Efficiency Calculator

3 DESCRIPTION OF THE APPEAL SITE AND SURROUNDING AREA

- 3.1 The appeal site relates to a corner plot between the junction of Georgiana Street and the Regent's Canal. It contains a single and two-storey office and storage buildings, a yard, vehicle parking, a sub-station and crossovers from Georgiana Street. The site is triangular with its long, north-eastern side boundary fronting the canal. The southern boundary runs along Georgiana Street and the western side backs onto the rear boundary walls of houses/workshops on Royal College Street. The appeal site was previously occupied by EDF Energy (vacated in October 2015) as a depot for the storage of materials and contained office space. It has an area of 1,810sqm with 884sqm of office (B1a) accommodation and 253sqm storage/warehouse floorspace (B8). To the south-eastern part of the site is Fleet Trunk Sewer, which is located under Gray's Inn Bridge.
- 3.2 The Regent's Canal frontage incorporates Bangor Wharf and part of Eagle Wharf. On the other side of the canal lies the Towing Path with residential buildings at 1-60 Reachview Close behind. Georgiana Street runs along the southern boundary of the site and provides the only access point from public land. A two-storey residential dwelling is located immediately adjacent at 54 Georgiana Street. Nos. 118-144 Royal College Street border the appeal site to the west. The majority of this terrace comprises three-storey buildings with butterfly roofs. Nos. 120-136 and 140-142 (even) form part of the Council's Local List (Ref447) due to their architectural and townscape significance. On the opposite side of the street 165-181 (odd) are grade II listed.

Adjacent to the site to the northwest lies the Eagle Wharf building at 146 Royal College Street, which is noted as making a positive contribution within the Regent's Canal Conservation Area Appraisal and Management Strategy. To the east is Gray's Inn Bridge, which provides access over the canal from St Pancras Way running north to southeast. The Constitution Pub at 42 Gray's Inn Bridge is also listed as making a positive contribution to the conservation area. To the south on the opposite side of Georgiana Street lies the St Pancras Commercial Centre.

- 3.3 The appeal site is located within the Regent's Canal Conservation Area. It is recognised within the relevant Appraisal and Management Strategy (page 20) as providing an excellent opportunity for enhancement with the existing granite setts noted as being of significance. The site is close to the Kings Cross development area. Other notable characteristics are that it has contaminated sites potential; lies adjacent to Regent's Canal - designated as a Public Open Space, a metropolitan Site of Nature Conservation and as a Green Chain; and there is a significant mature Willow tree at the corner of the site near Gray's Inn Bridge.
- 3.4 The site is identified in the Camden Site Allocations Local Development Document (September 2013) as Site 35 Bangor Wharf, Georgiana Street. The document encourages redevelopment of the site to provide replacement employment floorspace and new permanent (Class C3) residential accommodation. Other guidance includes:
- providing an active frontage to Georgiana Street and maximise opportunities to provide linkages to the canal towpath
 - be of a form and scale appropriate to the Regent's Canal Conservation Area and respond to the open character of this part of the canal and to surrounding listed buildings
 - utilise the canal for the transportation of goods and materials
 - ensure that the development contributes to the biodiversity and green nature of the canal
 - avoid excessive massing along the canal and ensure that views of the canal are improved
 - provide infrastructure for supporting local energy generation on site and/or connections to existing or future networks where feasible
- 3.5 The site is located to the east of Camden Town Centre. Camden Overground Train Station is located approximately 260 metres north-west of the site and Camden Town Tube Station 500 metres west of the site. The appeal site is subject to a Public Transport Accessibility Level rating (PTAL) of 6a.

4 PLANNING HISTORY

- 4.1 **PEX0000739:** A Certificate of Lawfulness for an existing use was granted on 03/10/2000 for use as a depot for storage of materials with ancillary workshops and offices (Class B8). The approval was on the basis that the applicant sufficiently demonstrated that the use begun more than 10 years before the date of the application.
- 4.2 **2005/1219/P:** Planning permission was granted on 14/06/2005 for external alterations to buildings including the replacement of metal framed windows with aluminium frames and alterations to the roof.
- 4.3 **2017/1230/P:** A planning application was registered on 03/03/2017 for the redevelopment of the site to include new building (1-6 storeys in height) to include 40 residential units, 868sqm of employment space and associated works. A recommendation is yet to be made on the revised scheme.

5 RELEVANT PLANNING POLICY

National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27th March 2012. It provides a national planning policy framework against which all planning applications and decisions must be made. It sets out a presumption in favour of sustainable development as a golden thread running through the decision making process. The policies contained in the NPPF are material considerations which should be taken into account in determining planning applications. Paragraphs 12, 14, 17, 18-22, 29-41, 47-55, 56-68, 69-78, 93-108, 109-125 and 126-141 are most relevant.

Development Plan

- 5.2 The development plan comprises of the London Plan 2016, the Local Plan 2017 and the Site Allocations Local Development Document 2013.

London Plan 2016

- 5.3 The London Plan 2016 will be quoted and referred to as part of the appeal process. The London Plan is a strategic planning document in London. The Mayor produces the plan, which is applicable to all 32 London boroughs and the Corporation of the City of London. Boroughs' local development documents must be in general conformity with the London Plan, and it is legally part of the development plan that has to be taken into account during planning decisions. The most relevant policies are listed below:

- Policies 2.18 (Green infrastructure: the network of open and green spaces)
- 3.3 (Increasing housing supply)
- 3.4 (Optimising housing potential)
- 3.5 (Quality and design of housing developments)
- 3.8 (Housing choice)
- 3.10 (Definition of affordable housing)
- 3.11 (Affordable housing targets)
- 3.12 (Negotiating affordable housing on individual private residential and mixed-use schemes)
- 3.13 (Affordable housing thresholds)
- 4.1 (Developing London's economy)
- 4.2 (Offices)
- 4.3 (Mixed use development and offices)
- 5.2 (Minimising carbon dioxide emissions)
- 5.3 (Sustainable design and construction)
- 5.5 (Decentralised energy networks)
- 5.6 (Decentralised energy in development proposals)
- 5.7 (Renewable energy)
- 5.11 (Green roofs and development site environs)
- 5.12 (Flood risk management)
- 5.13 (Sustainable drainage)
- 5.14 (Water quality and wastewater infrastructure)
- 5.21 (Contaminated land)
- 6.9 (Cycling)
- 6.13 (Parking)
- 7.3 (Designing out crime)
- 7.4 (Local character)
- 7.6 (Architecture)
- 7.8 (Heritage assets and archaeology)
- 7.14 (Improving air quality)
- 7.19 (Biodiversity and access to nature)
- 7.24 (Blue Ribbon Network)
- 7.26 (Increasing the use of the Blue Ribbon Network for freight transport)
- 7.27 (Blue Ribbon Network: supporting infrastructure and recreational use)
- 7.28 (Restoration of the Blue Ribbon Network)
- 7.30 (London's canals and other rivers and waterspaces)

- 8.2 (Planning obligations) and
- 8.4 (Monitoring and review).

Camden Local Plan 2017

5.4 The Local Plan was adopted by the Council on 03/07/2017 and has replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions. The relevant policies to be considered as part of the appeal process are listed below:

- G1 (Delivery and location of growth)
- H1 (Maximising housing supply)
- H2 (Maximising the supply of self-contained housing from mixed-use schemes)
- H4 (Maximising the supply of affordable housing)
- H6 (Housing choice and mix)
- H7 (Large and small homes)
- C1 (Health and well-being)
- 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)
- A5 (Basements)
- D1 (Design)
- D2 (Heritage)
- D3 (Shopfronts)
- CC1 (Climate change mitigation)
- CC2 (Adapting to climate change)
- CC3 (Water and flooding)
- CC4 (Air quality)
- CC5 (Waste)
- T1 (Prioritising walking, cycling and public transport)
- T2 (Parking and car-free development)
- T3 Transport infrastructure)
- T4 (Sustainable movement of goods and materials) and
- DM1 (Delivery and monitoring).

Camden Site Allocations Local Development Document 9th September 2013

- 5.5 The site allocations document sets out guideline for future development on significant sites, which have been or are likely to be subject to development proposal. The document was adopted on the 9th of September 2013, following consultation and examination.
- 5.6 The appeal site is listed as Site 35: Bangor Wharf, Georgiana Street. The relevant section of the document is attached as Appendix 4 of the Council's Statement of Case.

Other Material Planning Considerations

Camden Planning Guidance (CPG)

- 5.7 The Camden Local Plan 2017 is supported by the Council's CPGs. These documents were created following extensive public consultation. The relevant documents, and chapters of them, are listed below:

- CPG1 (Design) 2015: chapters 2, 3, 4, 5 and 6
- CPG2 (Housing) 2015: chapters 2, 4 and 5
- CPG3 (Sustainability) 2015: chapters 2, 3, 5, 6, 7, 8, 10 and 12
- CPG5 (Town Centres, Retail and Employment) 2013: chapter 7
- CPG6 (Amenity) 2011: chapters 6, 7, 8, and 11
- CPG7 (Transport) 2011: chapters 3, 4, 5, and 9
- CPG8 (Planning Obligations) 2015: chapters 2, 5, 6, 7, 8, 9, 10 and 11

Regent's Canal Conservation Area Appraisal and Management Strategy (CAAMS) 2008

- 5.8 Conservation area appraisals and management strategies help guide the Council in deciding on the types of alterations and development that are acceptable within designated conservation areas. The documents define the special character of a conservation area and set out an approach for its preservation and enhancement. The Regent's Canal (CAAMS) was adopted on the 11th of September 2008 following extensive public consultation.
- 5.9 The appeal site falls within Sub Area 2 – Kentish Town Bridge to the Oblique Bridge and is mentioned within pages 20 and 32 of the document. The relevant pages are included within Appendix 9 of the Council's Statement of Case.

Intermediate Housing Strategy (HASC/2016/08)

- 5.10 The Intermediate Housing Strategy was approved by the Council's Cabinet on 06/04/2016. It was published on 08/04/2016 and was effective from 16/04/2016. The strategy seeks to ensure

that intermediate housing is a viable option for developers and produces a majority of units that are affordable to households with incomes between £30,000 and £40,000.

London Borough Camden Annual Monitoring Report 2014/15

- 5.11 The AMR shows how the implementation of the Council's adopted plans are progressing, reports on any local plan preparation, and reports any activity relating to the duty to cooperate.
- 5.12 London Plan Annual Monitoring Report 2015/2016, Published July 2017
- 5.13 BRE: Site Layout Planning for Daylight and Sunlight. A Guide to Good Practice (2nd Edition, 2011)
- 5.14 DCLG Guidance on Rents for Social Housing (May 2014)
- 5.15 Homes for Londoners Affordable Homes Programme 2016/21 Funding Guidance (November 2016)

Supplementary Planning Guidance (SPG) to the London Plan 2016

- 5.16 The Mayor's SPGs give further detail on certain policies found in the London Plan. Below is a list of the most relevant documents:
- Housing (March 2016)
 - Character and Context (June 2014)
 - Sustainable Design and Construction (April 2014)
 - Affordable Housing and Viability (August 2017)
- 5.17 The Affordable Housing and Viability SPG was published in August 2017. It sets out the Mayor's long-term aim for half of all new homes to be affordable and aims to increase the amount of affordable housing delivered through the planning system; embed the requirement for affordable housing into land values and make the viability process more consistent and transparent.

Local Development Framework (previous local policy)

- 5.18 The Council's, now superseded, Core Strategy and Development Policies documents of the Local Development Framework (LDF) were formally adopted on 8th November 2010. The appeal proposal was refused on 17/06/2017 when these policies had full weight. The Camden Local Plan was adopted on the 3rd of July 2017 and replaced the LDF. Therefore, the LDF policies listed within the Officer Report and Decision Notice are no longer applicable, as

planning appeals must be determined on the basis of the development plan as it exists at the time of the Inspector's (or the Secretary of State's) decision. The relevant Camden Local Plan 2017 policies are listed above (para 3.6) and the reasons for refusal have been updated within this document to reflect the new local policies, which now have full weight in the decision making process.

6 THE APPLICATION THE SUBJECT OF THIS APPEAL

- 6.1 The appeal is against the London Borough of Camden's refusal, under delegated authority, of an application for planning permission for the demolition of all buildings on-site and construction of new buildings between one- to six-storeys. The appeal proposal includes 46 residential units (18 x 1 bed, 19 x 2 bed and 9 x 3 bed), of which 30 units would be market and 16 affordable; 686sqm (GEA) of office (B1a) employment space and associated works to highways and landscaping.

Timeline of Planning Application

- 6.8 An application (2016/1117/P) was received by Camden Council on 26 February 2016 for planning permission for the aforementioned development described under section 6.1.
- 6.9 The application was registered on 02 March 2016.
- 6.10 On 02 March 2016 written notification was sent to 51 neighbouring properties. 6 site notices were erected in various locations around the site on 04 March 2016 (expiring on 25 March 2016). These site notices were subsequently replaced on 18 March 2016 (expiring on 08 April 2016). A press notice was published in the local press on 10 March 2016. In total 53 responses (49 objections and 4 letters of support) were received from third parties.
- 6.11 Written notification of the application was also sent to Historic England, Regent's Canal Conservation Area Advisory Committee, Thames Water, Transport for London, Canals and River Trust and the Environment Agency. The responses of all parties have been forwarded with the Council's questionnaire and were summarised in the Council's Delegated Report.
- 4.12 The application was refused under delegated authority by the Council and a decision notice was issued on 17 June 2016.

4.13 A total of 18 reasons for refusal are outlined on the decision notice; however, informative 1 states:

'You are advised that reasons for refusal 11-14 and 16-17 could be overcome by entering into a s106 agreement.'

7 ISSUES AND EVIDENCE

7.1 As part of discussions between the Council and Appellant pursuant to the appeal process a number of reasons for refusal have been withdrawn. This includes the following;

- Provision of wheelchair housing (RfR 4) – confirmed by way of e-mail from case officer dated 9th October 2017. Additional drawings have been submitted by the Appellant (see appendix SoCG01) and a pre-commencement condition has been agreed (see condition 22 of agreed conditions).
- Failure to maximise active frontage to Georgiana Street (RfR 7) – confirmed by way of e-mail from case officer dated 17th October 2017. Notwithstanding condition agreed (see condition 28 of agreed conditions) to remove gates and design and layout concerns consolidated with RfR 6.
- Removal of the Willowtree (RfR 10) – confirmed by way of e-mail from case officer dated 9th October following inclusion within this SoCG the Arboricultural Implications Assessment Report, dated February 2017 – See Appendix SoCG02
- Absence of Legal Agreement to secure Travel Plan (RfR 13) – confirmed by way of e-mail from case officer dated 9th October 2017. A Travel Plan is no longer being sought by Camden.
- Absence of details regarding decentralised energy network and BREEAM assessment (reason 15) – confirmed by way of e-mail from case officer dated 9th October 2017. This is subject to appendices SoCG03-06 being secured and these matters being secured within a S106.
- Enhancement of canal (reason 18) – confirmed by way of e-mail from case officer dated 9th October following commitment of Appellant to provide facilities for users of the canal, including tap and electricity point.

7.2 In addition to the above, the Appellant is working with the Council to prepare and agree a S106 Agreement of which it is envisaged will be signed at least 10 working days prior to commencement of the Inquiry. If agreement is reached in respect of the S106 Agreement this will serve to remove reasons for refusal 11, 12, 14, 15, 16 and 17.

7.3 In view of the above, the key issues to be addressed are the reasons for refusal as set out below;

- **Suitability of continued use of the appeal site for employment use, loss of employment space and the quality and type provided** (Reason 1)
 - The Council is not contesting the physical quality of the space (i.e. floor to ceiling height and provision of light/outlook)

- **Small proportion of family sized units** (Reason 2)

- **Quality of residential accommodation** (Reason 3), specifically;
 - Access to outlook
 - External Amenity Space
 - Overlooking and Privacy Issues

- **Quantum and quality of affordable housing provision** (Reason 5)
N.B. Please refer to accompanying Viability SoCG for agreed and disputed areas of the viability case.

- **Height, mass, scale and detailed design and impact on streetscene, character and appearance and the Regent's Canal Conservation Area** (Reason 6)

- **Type, layout and location of cycle parking** (Reason 8); and

- **Outlook, privacy, daylight and overbearing impacts for existing residents at 54 Georgiana Street and Royal College Street** (Reason 9).

8 CONDITIONS

7.1 The parties agree that if planning permission is granted, it should be subject to conditions and a legal agreement.

7.2 The proposed conditions set out below have been agreed between each of the parties.

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).

2. The development hereby permitted shall be carried out in accordance with the following approved plans: (PL)01 Rev P2; 02 Rev P2; 03 Rev P2; 04 Rev P2; 05 Rev P3; 06 Rev P3; 07 Rev P3; 08 Rev P3; 09 Rev P3; 10 Rev P3; 11 Rev P3; 12 Rev P3; 13 Rev P3; 14 Rev P3; 15 Rev P2; 16 Rev P2; 101 Rev P2; 102 Rev P2, C100 Rev P3, C101 Rev P3, Supp01/P2, Planning Statement dated February 2016, Accurate Visual Representation (AVR) Methodology Statement - Soluis Studios dated February 2016, Report on Trees - Broad Oak Tree Consultants Limited dated February 2016, Proposed Accommodation Schedule dated 17/05/2016, Cover Letters (ref: J0023) dated 24/02/2016 and 06/05/2016, Report and Valuation by Savills dated May 2016, Response to London Borough of Camden Transport Comments (ref: 151955/N01) dated May 2016, Bat Roost Assessment Survey dated May 2016, Air Quality Technical Note by Mayer Brown, FRA and Sustainable Drainage Strategy dated February 2016, SuDs and Below Ground Drainage Maintenance Guide (ref: 150032/AW) dated 05/05/2016, Viability Assessment - BNP Paribas dated February 2016, Viability Assessment Addendum (ref: ADL/VMP/150287) dated 18/05/2016, Daylight and Sunlight Report - CHP Surveyors Ltd dated February 2016, Ground Investigation Report - GEA dated February 2016, Design and Access Statement - TM Architects dated February 2016, Transport Statement - Vectos dated February 2016,

Travel Plan Statement - Vectos dated February 2016, Preliminary Ecological Appraisal - Wardell Armstrong dated February 2016, Energy and Sustainability Assessment - Couch Perry Wilkes dated February 2016, Statement of Community Involvement - Curtin & Co dated February 2016, Heritage and Townscape Appraisal - KM Heritage dated February 2016, Affordable Housing Statement - GL Hearn dated February 2016, Environmental Noise and Vibration Report - Sharps Redmore dated February 2016 and Air Quality Assessment - Mayer Brown dated February 2016., Arboricultural Implications Assessment – Broad Oak Tree Consultants Limited, 23rd February 2017, BREEAM Offices Pre-Assessment 6th April 2017, BREEAM Pre-Assessment Estimator, dated 6th April 2017, BREEAM Assessment Tracker, no date provided, BREEAM GLOBAL Water Efficiency Calculator.

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

3. Prior to the commencement of the development, 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:

- a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates
- b) Plan, elevation and section drawings, including fascia, cornice, entrances, pilasters and glazing panels of the ground floor Georgiana Street at a scale of 1:10
- c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials to be provided on site, including a sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing
- d) Detailed drawings of the 'Bangor Wharf' signage

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 policies G1, D1 and D2 of the Camden Local Plan June 2017.

4. No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in

accordance with the requirements of policies D1 and D2 of the Camden Local Plan June 2017.

5. Prior to the commencement of the development, full details of screening, balustrade treatment, obscure glazing and other measures to reduce instances of overlooking and loss of privacy to prospective and adjoining occupiers from the residential terraces, balconies and windows within the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details thereby approved and permanently maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies G1 and A1 of the Camden Local Plan June 2017.

6. Prior to the commencement of the development, full details of hard and soft landscaping and means of enclosure of all un-built, open areas (including terraces, balconies, amenity spaces, green/brown roofs, landscaped buffer areas and the pedestrian route through) shall be submitted to and approved by the local planning authority in writing. Such details shall include planting for biodiversity, as recommended in the Preliminary Ecological Assessment. Details shall include a phased programme of works. The relevant part of the works shall not be carried out otherwise than in accordance with the details and programme thus approved.

Reason: To enable the Council to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policies G1, D1 and D2 of the Camden Local Plan June 2017.

7. All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enable the Council to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policies G1, D1 and D2 of the Camden Local Plan June 2017.

8. Prior to the commencement of any works on site, details demonstrating how trees to be retained (both within the site and on surrounding sites) 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 enable the Council to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policies G1, D1 and D2 of the Camden Local Plan June 2017.

9. Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/uses in adjoining dwellings, namely living rooms and kitchen above bedroom of separate dwellings. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of the prospective residential occupiers of the development and the area generally in accordance with the requirements of policies G1, A1 and H6 of the Camden Local Plan June 2017.

10. The noise level in rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

Reason: To safeguard the amenities of occupiers of the proposed use, adjoining premises and the area generally in accordance with the requirements of policies G1, A1 and A4 of the Camden Local Plan June 2017.

11. Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 5dBA,

by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of occupiers of the proposed use, adjoining premises and the area generally in accordance with the requirements of policies G1, A1 and A4 of the Camden Local Plan June 2017.

12. Prior to occupation of the hereby approved development, details of the location, design and method of waste storage and removal including recycled materials, for all uses on-site, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policies G1, A1 and CC5 of the Camden Local Plan June 2017.

13. At least 28 days before development commences:

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

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority prior to occupation. Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policies G1 and A1 of the Camden Local Plan June 2017.

14. In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the

Environment Agency's Model Procedures for the Management of Contamination (CLR11), and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the local planning authority before any part of the development hereby permitted is occupied.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policies G1 and A1 of the Camden Local Plan June 2017.

15. The developer must either submit evidence that the building was built post 2000 or provide an intrusive ***pre-demolition and refurbishment*** asbestos survey in accordance with HSG264 supported by an appropriate mitigation scheme to control risks to future occupiers. The scheme must be written by a suitably qualified person and shall be submitted to the local planning authority and must be approved prior to commencement to the development. The scheme as submitted shall demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation shall be independently verified to the satisfaction of the local planning authority prior to occupation.

Reason: To ensure the effective removal of asbestos on-site in accordance with policies G1 and A1 of the Camden Local Plan June 2017.

16. Notwithstanding the approved drawings, before the development commences, details of secure and covered cycle storage area for spaces 82 (including the appropriate provision of short-stay/visitor spaces), made up of 74 for the residential units and 8 for the business use, shall be submitted to and approved by the local planning authority. The approved storage areas shall be provided in their entirety prior to the first occupation of the development, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policies G1 and T1 of the Camden Local Plan June 2017 and table 6.3 of the London Plan 2016.

17. Prior to implementation, detailed plans showing the location and extent of photovoltaic cells to be installed shall have been submitted to and approved by the local planning authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policies G1, D1, D2, CC1 and CC2 of the Camden Local Plan June 2017.

18. Details of integrated bird and bat nesting boxes or bricks shall be submitted to and approved in writing by the local planning authority prior to any superstructure works commencing on site. Details shall include the exact location, height, aspect, specification and indication of species to be accommodated. Boxes shall be installed in accordance with the approved plans prior to the first occupation of the development and thereafter maintained. Guidance on biodiversity enhancements including artificial nesting and roosting sites is available in the Camden Biodiversity Action Plan: Advice Note on Landscaping Schemes and Species Features.

Reason: To ensure the development provides the appropriate provision towards creation of habitats and valuable areas for biodiversity in accordance with policy 7.19 of the London Plan 2016, policies G1, D1, D2 and A3 of the Camden Local Plan June 2017.

19. The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies G1, CC1, CC2 and CC3 of the Camden Local Plan June 2017.

20. No piling shall take place until a piling method statement (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 sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. 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 policies G1, CC1, CC2 and CC3 of the Camden Local Plan June

2017.

21. Prior to the first occupation of the development a plan showing details of the green/brown roofs including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2 and CC3 of the Camden Local Plan June 2017.

22. Prior to the commencement of the development, details that all the residential units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4(2) with at least 10% designed and constructed in accordance with Building Regulations Part M4 (3) adaptable, shall be submitted to and approved in writing by the local planning authority. The details shall be implemented in accordance with the approved details and thereafter retained.

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 policies G1 and H6 of the Camden Local Plan June 2017.

23. All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/construction] phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the Borough in accordance with the requirements of policies G1, CC1, CC2 and CC4 of the Camden Local Plan June 2017.

24. All external doorways, except for fire doors or for access to utilities, should not open outwards towards the public highway/footway/pedestrian route through the site. The proposed doors must either open inwards or have a sliding door so they do not restrict the flow of pedestrians or risk being opened onto those passing by.

Reason: In order to enhance the free flow of pedestrian movement and promote highway safety and amenity in accordance with policies G1, D1 and T1 of the Camden Local Plan June 2017.

25. Prior to the commencement of development (other than site clearance and preparation, relocation of services, utilities and public infrastructure and demolition), full details of the mechanical ventilation including air inlet locations shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from roads and the CHP and boiler stack to protect internal air quality.

Reason: To safeguard the amenities of the future occupiers, adjoining premises and the area generally in accordance with the requirements of policies G1, A1, A4 and CC4 of the Camden Local Plan June 2017.

26. Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a 1:100 year event with 30% provision for climate change demonstrating 50% attenuation of all runoff and demonstrate greenfield levels of runoff. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

27. Prior to occupation, evidence that the sustainable drainage system has been implemented in accordance with the approved details as part of the development shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-

water drainage system in accordance with policies G1, CC1, CC2 and CC3 of the Camden Local Plan June 2017.

28. Notwithstanding the approved drawings, no gates shall be provided within the undercroft of the building.

Reason: The gates would fail to maximise the active street frontage to Georgiana Street, to increase perceptions of safety and reduce the opportunities for crime, contrary to policies C5 (Safety and security), C6 (Access), D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.

29. Prior to the commencement of the development, an updated bat survey must be undertaken immediately prior to demolition or tree works by a licensed bat worker. Evidence that the survey has been undertaken shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2010, the Wildlife & Countryside Act 1981 (as amended) and policy A3 of the Camden Local Plan June 2017.

30. All site operatives must be made aware of the possible presence of protected species during works. If any protected species or signs of protected species are found, works should stop immediately and an ecologist should be contacted.

Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2010, the Wildlife & Countryside Act 1981 (as amended) and policy A3 of the Camden Local Plan June 2017.

31. The Preliminary Ecological Appraisal identified the presence of buddleia which is listed by the London Invasive Species Initiative as species of concern. Care should be taken to ensure that this species do not spread beyond the site during vegetation works.

Reason: To support the objectives of the Camden Biodiversity Action Plan 2013-18 and policy A3 of the Camden Local Plan June 2017.

32. London Wildlife Trust should be consulted on the relocation of the floating islands, and details of

dates, methods and sites for relocation should be submitted to and approved by the local planning authority in writing. Relocation of the floating islands from and returning to site shall be undertaken between September and February inclusive, to avoid the bird breeding season. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to moving to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

Reason: All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended) and to accord with policy A3 of the Camden Local Plan June 2017.

33. All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive, to avoid the bird breeding season. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

Reason: All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended) and to accord with policy A3 of the Camden Local Plan June 2017.

34. All demolition works to Building B1 should be undertaken between September and February inclusive, to avoid the bird breeding season. If this is not possible then, prior to commencement, a method statement for a precautionary working approach for the demolition of building B1 should be submitted to the Local Authority and approved in writing.

Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2010, the Wildlife & Countryside Act 1981 (as amended) and policy A3 of the Camden Local Plan June 2017.

35. Prior to the commencement of development hereby permitted, a Risk Assessment and Method Statement outlining all works to be carried out in and adjacent to the water must be submitted and approved in writing by the local planning authority in consultation with the Canal & River Trust.

Reason: To ensure the proposed works do not have any adverse impact on the safety of waterway

users and the integrity of the waterway in accordance with policies G1, A1, A2, A3 and T4 of the Camden Local Plan June 2017.

36. Notwithstanding the details submitted for the canalside landscaping, no development shall take place on site until full details of the proposed landscaping scheme along the canal edge have been agreed in consultation with the Canal & River Trust, and submitted to and approved in writing by the local planning authority. The landscaping scheme should include reference to plant species types, surface treatments, fences and walls, mooring rings, water tap, refuse facilities, nesting provision or reedbeds, and signage and information boards, together with the means of on-going maintenance. The approved landscaping scheme shall be implemented by the first planting season after the development commences.

Reason: To mitigate the impact of the proposed development by improving the canalside and its boundary treatment. Earthworks and associated landscaping also have the potential to impact on the integrity of the waterway and it is necessary to assess this and determine future maintenance responsibilities for any planting in accordance with policies G1, D1, D2 and T4 of the Camden Local Plan June 2017.

37. Prior to the commencement of the development hereby permitted, full details of any proposed lighting and CCTV scheme shall be submitted to and approved in writing by the local planning authority in consultation with the Canal & River Trust. The approved lighting and CCTV scheme should be implemented prior to first occupation of the development.

Reason: In the interest of crime prevention, ecology, visual amenity and the waterway setting in accordance with policies G1, C5, D1, D2, A1 and A3 of the Camden Local Plan June 2017.

38. Prior to the commencement of the development hereby approved a survey of the condition of the waterway wall, and a method statement and schedule of the repairs (or rebuild) identified shall be submitted to and approved in writing by the local planning authority, in consultation with the Canal & River Trust. Details shall include treatment of the wall to improve its appearance, and removal of submerged waterway wall material from the river. The works identified shall be carried out in accordance with the method statement and repairs schedule by a date to be agreed in the repairs schedule.

Reason: In the interest of the structural integrity of the waterway wall, waterway heritage, navigational safety and visual amenity in accordance with policies G1, D1, D2 and T4 of the Camden Local Plan June 2017.

39. If surface water run-off and ground water is proposed to drain into the waterway, details shall be submitted to and agreed in writing by the local planning authority in consultation with the Canal & River Trust prior to the commencement of development, and thereafter implemented in accordance with the agreed details unless otherwise agreed in writing.

Reason: To determine the potential for pollution of the waterway and likely volume of water. Potential contamination of the waterway and ground water from wind blow, seepage or spillage at the site, and high volumes of water should be avoided to safeguard the waterway environment and integrity of the waterway infrastructure in accordance with policies G1, A1 and CC3 of the Camden Local Plan June 2017.

40. Prior to the commencement of the development hereby permitted, a feasibility study shall be carried out to assess the potential for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables). The use of waterborne transport shall be maximised during the construction of the development unless the above assessment demonstrates that such use of the waterways is not physically or economically feasible.

Reason: To encourage the use of the waterways for transporting waste and bulk materials in accordance with the London Plan and policies G1 and T4 of the Camden Local Plan June 2017.