

BANGOR WHARF, GEORGIANA STREET, LONDON NW1 0QS

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PROOF OF EVIDENCE

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ON BEHALF OF ONE HOUSING GROUP

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1.0 INTRODUCTION

NAME AND QUALIFICATIONS

- 1.1 My name is Judith Tranter. I am an architect and founding Director of TM Architects. I hold a BA (Honours) degree in Architectural Studies and a post graduate Diploma in Architecture. I am registered with the Architects Registration Board, I am a Chartered Member of the Royal Institute of British Architects, a member of the Urban Design Group and I serve on the South Cambridgeshire Design Review Panel.
- 1.2 I qualified in 1982 and have worked in private practice for over 30 years. I was Director at two other architectural practices in London before setting up TM Architects in 2011.
- 1.3 My wide-ranging and extensive experience has been within the Greater London area and the south-east, working on developments for both new and existing buildings, and from small-scale infill schemes to major regeneration schemes.
- 1.4 I have specialised in residential and mixed-use developments, working with both public and private clients. My particular expertise lies in gaining valuable planning consents for these clients on complex, inner city brownfield sites and I regularly advise clients about the development potential of sites.
- 1.5 I have been involved in numerous new build schemes, including completion of a commended scheme in the Regents Canal Conservation Area in Hackney of 207 flats and 6,500sqm of commercial space. The scheme included retention and conversion of Grade II listed stable and warehouse buildings integrated with the design of a series of new buildings around courtyards next to a canal basin. I was also responsible for a mixed use scheme of 53 apartments and 2,000sqm of studio office space for a private developer on the same canal basin, which won an Evening Standard Award for 'innovation in urban apartment design'. I was the Director in charge of a scheme in Camden for the redevelopment of One Housing Group's offices in Chalk Farm Road into 63 apartments and 1,450sqm of mixed uses on a highly sensitive site, also in the Regents Canal Conservation Area and next to the listed Grade II* Roundhouse. We gained planning permission for this scheme in 2014.
- 1.6 I also have experience of several major estate regeneration projects, including a current scheme in north-east London where we are working closely with residents to produce a masterplan for the partial redevelopment of the estate to produce up to 450 new homes.

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1.7 One of my earliest projects after I qualified was one of the first conversions of a listed warehouse building into apartments on the South Bank of the Thames in the early eighties, which won a Civic Trust Award. This was followed by working with the team on the conversion of the Anchor Brewhouse next to Tower Bridge for the same developer. I was also involved in the conversion of a listed canal side warehouse building in Hackney into loft apartments and studios, which won an Evening Standard award and I have worked on many other conversion and restoration projects around London.

1.8 Examples of some of these projects are included in the Appendices to this Proof (**Appendix One**).

1.9 I have been the Director in Charge of this project from the outset and have been fully involved in all stages up to and including the receipt of the planning refusal.

2.0 CLIENT INSTRUCTIONS

2.1 One Housing Group first asked us to look at the site in January 2015. We were instructed to produce a preliminary feasibility scheme for redevelopment of the site based on the Council's Site Allocation document (**Core Document F10**), knowledge of Camden's planning policy, best practice urban design principles and our extensive experience of gaining planning consents in London.

2.2 Following site visits and investigation into the site's history and context, we produced a preliminary design which we took to Camden Planning for pre-application advice in February 2015. Although the scheme was at the early stages, the response received was broadly supportive - in her feedback letter dated 2 April 2015 (**Core Document K2**) the officer under 'Design' states '*...The sketch proposals go some way to conforming to the parameters set out in the Site allocations guidance....*'.

2.3 We developed the scheme design over the following months, taking full account of the complex site constraints. We attended a second pre-application meeting in December 2015 and made amendments to the design as a consequence of feedback (**Core Document K3**), including removal of the sixth floor. Following a public consultation exercise (**Core Document D10**) we were instructed to prepare a full planning application for submission in February 2016.

3.0 SCOPE OF PROOF AND APPENDICES

- 3.1 I will begin my Proof with a description of the physical setting and context of the appeal site, the scheme content, design and amendment.
- 3.2 I will address five Reasons for Refusal (**Core Document B1**) and I will give evidence to support the Appellant's case against each of these.
- 3.3 Under Reason for Refusal 2, I will describe the physical constraints of the site and its surroundings and I will show how the design of the proposed scheme provides the optimum mix of homes of different sizes, given these constraints.
- 3.4 Under Reason for Refusal 3, I will show from a design point of view how the proposals will provide access to good quality outlook, light and external amenity space, how the proposals will provide a reasonable level of privacy for residents given the site constraints, and how the proposals will result in a high standard of accommodation that will not be harmful to the amenity of future occupiers.
- 3.5 Under Reasons for Refusal 6 and 7, I will show how the scheme design in terms of its proposed height, mass, scale and detailed design will produce buildings of the highest quality that respond positively and sensitively to the site's history and context and how the design and layout of the Georgiana Street frontage will provide an active frontage to improve and enhance the character and appearance of the surrounding area.
- 3.6 Under Reason for Refusal 9, I will show from a design point of view how the proposals will provide good levels of outlook, privacy and daylight to the occupiers of 54 Georgiana Street and 118-142 Royal College Street and that they will not have an increased sense of enclosure or an overbearing impact due to the height, massing and positioning of windows and balconies in relation to the site's western boundary.
- 3.7 I will, during the course of my evidence, refer to a number of Core Documents forming part of, or supporting, the planning application and statements of policy and design guidance. These are referenced accordingly and will be available for reference at the Inquiry. I have also referred to other material not included in the Core Documents but which is included in the Appendices accompanying my evidence. Again this is referenced accordingly.

4.0 THE PHYSICAL SETTING AND CONTEXT OF THE APPEAL SITE

- 4.1 The location and main characteristics of the site and its immediate surroundings are covered in section 3 of the Statement of Common Ground (**Core Document A**).
- 4.2 The site currently comprises a group of mid-twentieth century buildings of little architectural merit formerly used as a depot by EDF. These have no connection to the canal, generally presenting blank walls and fences to the waterway.
- 4.3 The site sits within the London Borough of Camden section of the Regents Canal Conservation Area, which encompasses a variety of settings and contexts along its length. Within only a short distance of the Appeal site, this includes major redevelopments around Kings Cross and Hawley Wharf, a mix of nineteenth century houses and industrial buildings and a number of mid-late twentieth and early twenty-first century development, a few examples of which are included in the Appendices to this Proof (**Appendix Two**).
- 4.4 The immediate context between Grays Inn and College Street Bridges, also displays a varied character as shown in Section 2.03 of the Design and Access Statement (**Core Document D4**). The most significant physical characteristics of this stretch of the canal derive from the way it was constructed. The route includes a series of changes in direction, caused by differing land ownerships at the time it was built, and the towpath side of the canal includes a series of tall retaining structures, or embankments, containing a change of level between one side and the other. This results in buildings at differing heights in relation to the canal. Bangor Wharf is on the lower side and, whilst most of the site is level with the canal, the yard slopes up to meet the street and there is a ramp down to a tunnel underneath the road.
- 4.5 Eagle Wharf to the north of the site comprises a Victorian warehouse and a mid-twentieth century industrial building fronting the former dock and canal. Opposite is a 1970's flatted development, which sits on top of the embankment on a sharp bend. To the north of College Street Bridge is a late twentieth century redevelopment at Lawfords Wharf with listed buildings behind and on the opposite bank a tall retaining wall with a row of early Victorian houses on top. To the south of Grays Inn Bridge is the dominant wall to a former goods yard with a 1970's housing development, hardly visible beyond, and opposite a series of late twentieth century, mixed use developments built along the canal edge.
- 4.6 The proposed redevelopment of Bangor Wharf presents an excellent opportunity to improve and enhance the setting along this stretch of the Regents Canal. The varying character found in the vicinity creates an opportunity to produce a building, or series of buildings, that have no need to conform to one particular architectural idiom but that will provide a distinctive and attractive architecture of their own.

- 4.7 Like many urban, brownfield sites, Bangor Wharf is constrained. As well as existing buildings adjoining and surrounding the site boundary, some of which are locally listed or are buildings or structures that make 'a positive contribution', Bangor Wharf sits within a Conservation Area.
- 4.8 The site is physically constrained by the canal, canal bridge, the Fleet Sewer and an electricity sub-station at the western end on Georgiana Street. The canal forms the north-easterly boundary to the site.
- 4.9 At the south-eastern end of this boundary is one of the Victorian bridge abutments and new development needs to keep clear of its structure. In order to allow the passage of boats and barges beneath the bridge, the roadway rises on either side. Georgiana Street and St Pancras Way therefore both have changes of level to achieve this which need to be taken into consideration.
- 4.10 The Fleet Sewer cuts diagonally across the south-eastern corner of the site, running below the base of the canal, in a 5-foot diameter, Victorian brick structure which is potentially vulnerable to damage from building work. The structural engineers who form part of the design team have had to formulate complex foundations and ground and first floor structures to bridge over the sewer to the satisfaction of Thames Water. This has put significant constraints on the design of the building that fronts Georgiana Street and the canal in this part of the site.
- 4.11 The old electricity sub-station that is currently housed at the western end of the street frontage serves the local area as well as the site and needs to be maintained in full working order during site redevelopment. The substation is old, undersized and no longer fit for purpose. It needs to be replaced, whilst maintaining electrical services, and therefore a new substation has to be built before the old one can be disconnected. The distribution network operator for London is UK Power Networks, who have strict guidelines for the design of new substations. These include requiring the facility to be at ground level and with 24-hour access from the public highway. Due to the bridge over the canal and its abutment, the location of the sewer and the engineering constraints of maintaining its Victorian structure, there is only one part of the site available to build the new substation putting another constraint on redevelopment.
- 4.12 The above opportunities and constraints form the physical setting and context against which the redevelopment proposals of the Appeal scheme were formulated.

5.0 THE SCHEME CONTENT

- 5.1 The scheme comprises a mixed use redevelopment of the site to provide 604m² (GIA) of proposed B1 use and 46 mixed tenure apartments. It is car-free and provides 76 covered, secure cycle spaces for residential use plus 8 external spaces for business use. It provides a mix of dwelling sizes (1, 2 and 3 bed apartments) including 1 for wheelchair use and 4 easily adaptable for wheelchair use.
- 5.2 The proposals are for one, two, three, five and six storey development around a courtyard that opens onto the canal and will provide public access to this side of the water for the first time.

6.0 SCHEME DESIGN AND AMENDMENT

- 6.1 The scheme design was developed in response to the site, its context, constraints and relevant planning policy as well as to the Client's Brief for a mixed use redevelopment.
- 6.2 The Appendices to this Proof include a drawing showing the three different buildings A-C to assist the Inquiry (**Appendix Three**).
- 6.3 From the outset, the proposals were carefully considered in relation to the impact on their surroundings. Section 2.02 of the Design & Access Statement (**Core Document D4**) includes analysis of the local context in terms of the Regents Canal, open space, conservation areas, listed buildings, building use, building heights and character areas. Section 2.03 includes photographs of the immediate context and Section 2.04 includes information regarding the site's history. All of these were used to inform the approach to the scheme proposals.
- 6.4 Sections 4.03 and 4.04 of the Design & Access Statement (**Core Document D4**) explain how the design evolved and the approach taken to proposed layout, height, mass and scale.
- 6.5 The preliminary response to the site was that the design should start from the water with an open space at the heart of the scheme whilst providing new workspace and optimising the potential for new housing with buildings arranged around the perimeter. This references the wharf's historical development when it was open to the waterway for loading and offloading of goods and helps to maintain an open character to this part of the canal, as suggested in the guidance contained within the Site Allocation document (**Core Document F10**). This site-specific response differs from other recent developments in the vicinity, which mostly place buildings along the canal frontage, and is fundamental to our approach to the design.

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- 6.6 The layout of the buildings around the courtyard, as shown on the site layout drawing (**Core Document E4**) begins with the entrance from Georgiana Street – a tall and wide opening in the street frontage, creating new views through to the canal. The entranceway slopes down towards the courtyard to provide a gentle gradient from the higher street level down to the water’s edge, allowing full accessibility to all parts of the proposal.
- 6.7 The courtyard itself is designed principally as a hard-landscaped yard, reflecting the site’s industrial heritage, and incorporating the salvaged granite kerbstones and setts that are found on the existing site. Into this setting two areas of rain garden are placed together with native trees providing a contrast to the hard materials.
- 6.8 The ground floor includes most of the proposed B1 office space, arranged in three buildings on the street frontage and around the courtyard/canal frontage. The building adjoining the boundary with Royal College Street (Building A/C)) has B1 space at ground and mezzanine levels.
- 6.9 This new employment space is designed for flexibility, enabling sub-division for small businesses or use as larger, open-plan spaces as shown in Section 4.02 of the Design and Access Statement (**Core Document D4**). The units have generous floor to ceiling heights, ranging from 2.3m on the mezzanine to 3.8m in Buildings A and B. They also have large areas of glazing, with large shopfront windows and roof lights to maximise natural daylighting. Employees of future businesses will be able to utilise the public open space in the courtyard and enjoy the amenity of being next to the canal. The unit at the northern end of the site (Building A/C) also has access to private amenity space with a small terrace. 8 cycle spaces for business use are provided with Sheffield stands in the courtyard.
- 6.10 The residential accommodation includes three apartments at ground level with their own private amenity space and the rest on upper floors. All the apartments have a view of the canal and 42 (out of 46) are dual aspect. They all comply with the minimum space standards of the Housing SPG (**Core Document F3**).
- 6.11 As explained above, the surrounding area consists of a mix of building scales, ranging from 3 to 7 storeys. The former are Eagle Wharf and the Victorian residential terraces, and the latter the more recent development along the canal’s edges. With proposed buildings arranged around three sides of the courtyard, the height and massing of each responds appropriately.
- 6.12 The eastern end of Georgiana Street is notable for having no consistent form or height. The listed terraces to the west stop before reaching the Prince Albert Public House on the north side and new electricity building on the south.
- 6.13 Initially, a 7-storey building was proposed on the canal/Georgiana Street frontage (Building B) but, following both pre-application and public consultation feedback (**Core Documents K3 and D10**), this was reduced in scale and the

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Appeal scheme includes contiguous buildings of 1-6 storeys with the latter set back from the building edge on the Georgiana Street frontage (**Core Documents E12 and E13**).

- 6.14 The building facing Georgiana Street responds to its context, the proximity of existing buildings and views of The Constitution Public House.
- 6.15 Immediately opposite the site, to the south, is a modern 2-storey depot-type building with large yard which has little architectural merit and is likely to be redeveloped in the near future at a greater scale. Next to the site on the north side of Georgiana Street sits no 54 – an anomaly in the street scene - a tall 2 storey building which appears to have a former shop projecting at ground floor. Next to that is a modern rebuilding of the end of the Royal College Street terrace, which does not match the latter, having been built in red brick with an unsympathetic window arrangement. Neither of these buildings is included in the Conservation Area and they are not locally listed.
- 6.16 The Constitution pub building sits on the opposite side of Grays Inn Bridge, in a slightly elevated position. It is seen in the centre of views along Georgiana Street from the west and any new development on the north side of the street will not interrupt these views. Therefore the scale of new development does not need to be the same or subservient to that of the pub, but should frame views of it from the west. Similarly, views of the pub and the bridge should not be interrupted or degraded by the proposals when approaching along the canal towpath.
- 6.17 The proposal for Georgiana Street is therefore to start with a three storey building at the western end of Building A to continue the predominantly three storey scale of the neighbouring street and to step up to five storeys for the remainder of Buildings A and B which sets up a frame for views of the Constitution pub on the far side of the bridge. Building B has a fifth storey set well back from the frontage and clad in a different material, making it recessive and reducing its impact in views.
- 6.18 Away from the street, on the northern part of the site, a 5-storey building is proposed to sit between the taller building to the south and Eagle Wharf. This building has a generous space to either side, so as not to ‘crowd’ the older building.
- 6.19 The western side of the site requires a different approach – sitting within the site the proposed building responds to the Royal College Street houses behind. In order to maximise the area of the proposed courtyard, the new building sits on the same line as the existing two-storey building on the site. The proposal is for a tall single storey building (including a mezzanine in part), at a similar height to the building it will replace.
- 6.20 The approach to the detailed design of the buildings described above and within Section 4.05 of the Design and access Statement (**Core Document D4**) is a contemporary one but informed by historical references. Again, this is a

site-specific response.

- 6.21 The principal material proposed is brick, referencing the predominant material used in the remaining warehouses along the canal and in most buildings in surrounding streets.
- 6.22 Ground floors are tall throughout with openings that are wide, set within deep reveals and generally fully-glazed. These make reference to the robust scale of industrial buildings. Principal elevations are divided into bays that extend from ground level to upper floors. The latter continue the bay in a shallower version containing smaller window openings, giving rhythm to these elevations. The smaller windows, which comprise two different modules, stack on each floor level, bringing a sense of order. Above the street entrance to the courtyard, full-width openings are set into a deep recess to emphasise this main access point.
- 6.23 Parapets are generally straight as in the traditional terraces of surrounding streets for all but Building C which has a shallow pitched parapet, reflecting a similar one at Eagle Wharf and making reference to the steeper ones visible on houses in Royal College Street behind. Canal side frontages have projecting bays that refer to the storey-height loading bays found on traditional warehouses. Within these are recessed balconies or bays. A fifth floor sits above Building B and is clad in a contrasting material to differentiate it from the lower floors and to maintain the parapet line around the building.
- 6.24 Balconies are designed as inset or cantilevered. The former are used on the Georgiana Street elevation so they do not interrupt sightlines to the Constitution public house at the end of the street. They are also used within the bays on the canal side. In both cases the balustrading is minimal, using structural glass. Elsewhere balconies are cantilevered, more clearly expressing their residential function. These have metal balustrading.
- 6.25 Following submission of the application, comments were received from the Council in the form of an email dated 7 April 2016 (**Core Document K4**) and a number of amendments were submitted in response. These included one additional bay to the Georgiana Street and St Pancras Way elevations (Elevations 2 and 3 in **Core Document E12**), amendments to the window module in the same elevations and adding full height signage to the St Pancras Way elevation. We also revised the private amenity space provision to two of the affordable apartments in Building A (First and Second Floor Plans in **Core Documents E6** and **E7**) and the treatment of the top floor in Building B (also Elevations 2 and 3 in **Core Document E12**).
- 6.26 The Schedule of Accommodation was revised during the determination period in order to reflect the revised Viability Assessment dated March 2016 (**Core Document D20**)
- 6.27 I will now turn to the Reasons for Refusal.

7.0 Reason for Refusal 2

7.1 The Council's second reason for refusal states:

'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.'

7.2 Chris Pittock will be covering the Policy requirement for dwelling mix in his Proof. This aims to secure a range of homes of different sizes and says the Council will take a flexible approach to dwelling mix having regard to the character of the development and the area, including the impact of site size, and any constraints on developing the site.

7.3 The proposed development is in a town centre location with a PTAL of 6a and should therefore optimise the potential for new housing as well as provide replacement employment space. The site is 0.18ha and therefore large enough to provide a mix of dwelling sizes, but the ability to do this is partly constrained by its irregular configuration limiting potential building layouts within its boundaries.

7.4 The character of the proposed development derives from placing buildings around a courtyard open to the canal. The main constraints of the site have been set out in Section 2 and the resulting development responds to its setting with buildings of differing heights and massing. These need to provide the maximum number of new homes as dual aspect, to respect the need for privacy and to allow good levels of daylighting to new and existing homes.

7.5 The building forms resulting from the above restrict the floorplate of each building which, in turn, restrict potential layouts for new dwellings.

7.6 The proposals provide 46 new homes in a mix of social rent, shared ownership and private sale. Together these comprise a mix of unit sizes, including eighteen 1 beds, nineteen 2 beds and nine 3 beds.

7.7 The private sale apartments, located in Buildings B and C, include a mix of 1, 2 and 3 bed dwellings with a larger number of 1 and 2 beds. Increasing the number of larger homes for private sale, without decreasing the overall number, would mean increasing the size of the buildings which would compromise amenity criteria for new and existing residents. The same applies to the shared ownership homes.

- 7.8 The social rent apartments, located within Building A, also comprise a mix of dwelling sizes. A 1 bed, fully-fitted wheelchair apartment is provided at ground level with the rest located on upper floors of the main part of building A. This building has further constraints.
- 7.9 The layout has two dwellings per floor on either side of a lift and stair core. The 3 beds are on the west side of the core at first and second floor levels. Above this level, the third and fourth floor plans step back to provide a massing to suit the context as explained above and to maintain good levels of daylighting to neighbouring houses. This step reduces the floorplate available and the 3 beds reduce to 2 beds.
- 7.10 On the other side of the same stair core, a 2 bed apartment repeats on all four floors. If the layout had been reversed, allowing the 3 beds to repeat over four floors, the overall reduction in floorplate would have meant 2 beds on the west side reducing to 1 beds. This is not proposed as 1 beds have the lowest priority for social rent in Camden.
- 7.11 As explained in Section 2 of this Proof, the site has further constraints including an electricity sub-station at the western end on Georgiana Street. The latter needs to be replaced and other constraints mean there can only be one location for this with a plant room adjacent, as shown on the application drawings (**Core Document E5**). This restricts the layout of Building A, directly affecting the location of the stair and lift core which, in turn, affect the layout of accommodation on the floors above (**Core Documents E6-9**).
- 7.12 The combination of the need to maintain daylight to Royal College Street properties, the restrictions of the sewer and substation, and the need to provide a mix of 2 and 3 bed homes for social rent means there are fewer 3 beds than 2 beds for this tenure, but there is a mix of dwelling sizes, providing the best combination the site's constraints will allow.
- 7.13 As explained, there are a number of contributing factors that have informed the design, including a number of site constraints and the proposal provides a mix of housing that is in accordance with policy (as demonstrated in Chris Pittock's Proof of Evidence). On balance, it is considered therefore that the proposed dwelling mix should not constitute a reason for refusal.

8.0 Reason for Refusal 3

8.1 The Council's third reason for refusal states:

'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.'

8.2 The application scheme has been designed with due regard to the above considerations from the outset, bearing in mind the constrained nature of the site and the need to balance this against these policy requirements. Taking the items in turn:

8.3 Firstly, outlook. CPG 6 (Amenity) para 7.8 (**Core Document F15**) describes outlook as: *'.... the visual amenity enjoyed by occupants when looking out of their windows'*. It goes on to say that developments should be designed so that the occupiers have a pleasant outlook.

8.4 The application floor plans (drawings 194/PL05-10 **Core Documents E5-10**) and Layout Diagram 6 in Section 4.03 of the Design & Access Statement (**Core Document D4**) show that every apartment will have a view of the canal, regardless of tenure, providing a pleasant outlook to all apartments. Most windows will also overlook the new public courtyard and the first floor roof garden and, or, Eagle Wharf and the Constitution PH, all of which will provide an attractive outlook, given the urban nature of the site.

8.5 In addition, Layout Diagram 5 in Section 4.03 of the Design & Access Statement (**Core Document D4**) shows that more than 90% of the proposed homes are dual aspect, giving 42 out of 46 apartments a choice of outlook. The four homes that are shown as single aspect are south-facing, look onto a quiet side street and are 1 beds, meaning none fall into the categories to be avoided in Design Standard 29 of the Mayor's Housing SPG (**Core Document F3**). In addition, these apartments are designed to have bedrooms that have a window to the street and a window to the balcony, which, at more than 8sqm, significantly exceeds the minimum amenity requirements and therefore mitigate the single aspect nature of the dwellings.

8.6 Secondly, I turn to daylight. Whilst I will cover the design aspects, Toby Rogan-Lyons in his Proof will cover the technical issues associated with meeting the standards set by the Mayor in the Housing SPG under Design Standard 32 (**Core Document F3**) and by Camden under CPG6 (Amenity) (**Core Document F15**).

- 8.7 The buildings are designed to take account of access to daylight and sunlight, by including as many apartments as possible as dual aspect, by having the few single aspect ones facing south, and by providing windows of differing sizes and orientations. Mr Rogan-Lyons will be explaining how these features provide access to adequate levels of daylight.
- 8.8 Thirdly, we consider access to external amenity space. Section 4.06 Amenity of the Design & Access Statement (**Core Document D4**) clearly describes how the proposal meets the requirements for both private and shared amenity as set out in CPG2 Housing (**Core Document F12**), CPG6 Amenity (**Core Document F15**) and the London Housing SPG, Design Standards 25 and 26 (**Core Document F3**).
- 8.9 The proposed floor plans (drawings 194/PL05-10 **Core Documents E5-10**) show all apartments having private balconies, terraces or roof terraces. In the Statement of Case, para 6.24, the Council say no details are provided regarding the sizes of these amenity spaces. Whilst this is correct, they are all at least equal to the minimum areas required by Camden's CPG 2 and 6 and the Mayor's Housing SPG. In addition, many of the apartments have private amenity areas that exceed the minimum requirements. In order to assist the Inquiry we have added the areas to the floor plans and include them in the Appendices to this Proof (**Appendix Four**).
- 8.10 In spite of the above considerations, the Council claims in para 6.22 of the Statement of Case (**Core Document I**) that a number of apartments would have substandard living accommodation. This refers to para 4.13 of the Case Officer's Delegated Report (**Core Document B2**), which lists a number of apartments which he claims would fail to meet adequate levels of light and/or outlook.
- 8.11 He begins with the ground floor wheelchair apartment Unit A001 which is shown on drawing no PL05 (**Core Document E5**). This apartment is designed with a dual aspect living space – a kitchen to the front and living room to the rear. The kitchen faces northeast onto the public courtyard, but is screened by planting and a feature tree. The living room faces south-west onto a private courtyard space. This is a peaceful and private space that will receive plenty of daylight and sunlight, as can be seen in the section through the courtyard in Proposed Elevation no 6 on drawing PL13 (**Core Document E13**). Small, enclosed courtyard gardens are a common feature of urban living and, with a raised planting bed for accessible gardening, this will create a delightful private amenity space for a wheelchair user.
- 8.12 The Case Officer considers Unit C001 will have poor amenity. This is a ground floor apartment in Building C fronting the canal, also shown on drawing PL05 (**Core Document E5**). It is dual aspect with the living space and principal bedroom overlooking the water. It has a projecting bay above these windows as shown on drawing PL12 (**Core Document E12**) but both rooms will be well-lit by 3.3m floor to ceiling glazing. The orientation of these windows

means that sun will reach the apartment in the mornings, whilst other windows open onto a small terrace on the northern-western boundary, which will receive sunlight in the afternoons and evenings.

- 8.13 CPG 6 (Amenity), para 6.16 (**Core Document F15**) says the Council expects new developments to be designed to provide at least one window to a habitable space facing within 90 degrees of south, but adds, '*where practical*'. It makes reference to the BRE's guidance document (**Core Document F21**) and goes on to say in para 6.18: '*The Council recognises that not all of the guidance contained within the BRE document, particularly orientation, can be adhered to in all developments due to the dense and constrained urban nature of Camden*'. The buildings have been designed to take advantage of sunlight and the CPG acknowledges this cannot always be possible particularly on constrained urban sites.
- 8.14 Bearing the above in mind, I would argue that, along with the obvious amenity value of a canal edge apartment, this particular home will have a high amenity value.
- 8.15 The Case Officer also considers Units A101 and 102 will have poor amenity in his Delegated Report. These are located at first floor level in Building A, looking onto the shared roof garden, as shown on drawing no PL06 (**Core Document E6**). They have private amenity space in excess of the minimum areas required for the size of dwelling (see **Appendix Four**). Their perimeters are proposed with 0.9m high x 0.9m wide planters to allow for generous privacy planting. Arrangements such as this, where private amenity space abuts shared space, are commonplace in high density, new build developments all over London - it is an accepted way to provide residents with a mix of private and shared space and balances privacy with outlook. CPG6 para 7.7 (**Core Document F15**) suggests that some overlooking of the shared space is desirable. The exact detail of the planters and their contents will be submitted under proposed Condition 6 and can be developed in agreement with Officers at the next stage should planning permission be granted.
- 8.16 Unit A102 has another planter right outside the second bedroom window, again to provide privacy from the shared roof garden. It has a second private amenity space in the form of an inset balcony opening off its kitchen on the south side of the apartment, which means this social rent home will have a choice of amenity spaces.
- 8.17 Section 4.06 Amenity of the Design & Access Statement (**Core Document D4**) includes a proposal to fill the planters that run along the boundary with the rear of the Royal College Street with fast-growing, dense evergreens such as bamboo to maintain mutual privacy to the rear gardens/windows of the existing houses.
- 8.18 CPG6 para 7.6 (**Core Document F15**) says: '*Where landscaping is used as a method of screening, arrangements for ongoing maintenance should be put in place and this may be secured by a planning condition*'. Full details of the planting screening will be submitted under proposed Conditions 5 and 6 should planning permission be granted.

- 8.19 In the same building, the Case Officer considers Units A201 and B204 (which repeat on the floors above) will have poor amenity in his Delegated Report. These are on the upper floors of Buildings A and B, courtyard side, where cantilevered balconies are relatively close and are shown on drawing nos PL07-09 (**Core Document E7-9**). In order to provide a dual aspect to Unit B204, a slim, secondary window is placed on the south-western face of the building, with the primary window being provided on the north-westerly face. The balcony to Unit A201 is within a few metres of this window, but does not have a direct view into it and therefore potential for overlooking is minimised. In a high density development such as this, similar arrangements are not uncommon. Unfortunately we did not have the opportunity to discuss this with officers as they were unwilling to meet us during the application period but, if required, mitigation measures could be dealt with under proposed Condition 5 should planning permission be granted.
- 8.20 The last apartments the Case Officer considers to have poor amenity in his Delegated Report are those facing one another across the courtyard between Buildings A/B and C. Again these are shown on drawing nos PL07-09 (**Core Document E7-9**). CPG6 para 7.4 (**Core Document F15**) includes guidance for ensuring privacy between dwellings and gives minimum overlooking distances. It applies to windows of habitable rooms facing one another, including balconies. (Potential overlooking between the balconies themselves is not covered). The distances between windows facing one another between Buildings B and C do not fully meet the guidance, but then most of the windows concerned are not directly facing one another. The one case where they are is between windows to the living room in A201 and above and the bedroom in C203 and above. The windows themselves are 18m apart but the balcony to A201 projects by 1.5m, making it less than the recommended distance. The guidance in CPG6 goes on to say: *'Where this standard cannot be met we may require you to incorporate some of the following design measures into your scheme to ensure overlooking is reduced to an acceptable level.'* These include, for example, screening. Again, if required, such measures could be dealt with under proposed Condition 5 should planning permission be granted.
- 8.21 It should be noted that the Mayor's Housing SPG provides a commentary under Design Standard 28 – Privacy (**Core Document F3**) that suggests some flexibility could be applied to such minimum overlooking distances. It refers to minimum distances being useful yardsticks but that adhering rigidly to such measures can limit the variety of urban spaces and housing types and can sometimes unnecessarily restrict density. In other words, there is an implicit understanding that they can be applied with some flexibility, taking into consideration the need to optimise opportunity for new housing with the constraints of the site.
- 8.22 The layout of the scheme has been designed to ensure full compliance with CPG6 para 7.4 in relation to existing houses in Royal College Street. All windows and balconies to Building C are at least 18m from the windows in the rear of the existing houses, as described in Diagram 4 in Section 4.03 Layout in the Design & Access Statement (**Core Document D4**), and the cantilevered balconies to Building A closest to the boundary have privacy screens to

the western side, in order to maintain privacy as shown on drawing nos PL07-09, 13 and 14 (**Core Document E7-9, E13 and E14**).

- 8.23 Section 4.06 Amenity of the Design & Access Statement (**Core Document D4**) shows that the amount of shared amenity space will exceed that required by Camden policy. The courtyard at ground level (see drawing PL05 and 16, (**Core Documents E5 and E16**) will provide 484m² of on-site public amenity space which can also be used by the residents and the occupants of the office space against a requirement for amenity open space under CPG6 of 407m². A further 146m² will be provided at first floor level as a roof garden for the exclusive use of the affordable housing tenants (see drawing no PL16 **Core Document E16**). Both amenity areas will include informal play space that can be used by children of all ages. The Design and Access Statement shows that CPG6 requires a minimum of 40m² of children play space for the scheme and this is exceeded.
- 8.24 The courtyard at ground level will be publicly accessible from Georgiana Street. It will benefit from direct access to the canal and natural surveillance provided by overlooking from workspaces and apartments in accordance with the guidance contained within CPG6, Section 7 (**Core Document F15**) which says: *'Public spaces benefit from overlooking as natural surveillance.'* The courtyard will receive adequate levels of sunlight as shown in Toby Rogan-Lyons' Proof. The first floor roof garden will benefit from views of the canal and natural surveillance provided by overlooking from apartments as well as adequate levels of sunlight and daylight from the south west and west, again as shown in Mr Rogan-Lyons' Proof.
- 8.25 The public and shared amenity space in the Appeal scheme will therefore be plentiful, attractive and safe.
- 8.26 Camden Local Plan Policy G1 Delivery & Location of Growth states it will *'...deliver growth by securing high quality development and promoting the most efficient use of land and buildings in Camden by: a) supporting development that makes best use of its site, taking into account quality of design, its surrounding, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site; b) resisting development that makes inefficient use of Camden's limited land...'*
- 8.27 With this in mind, the proposed development has set out to make best and most efficient use of the site while balancing the requirements of policy and site constraints.
- 8.28 For the reasons outlined above, it is considered that on balance the proposal complies with the policies listed in the reason for refusal and that therefore the quality of outlook, light, external amenity space and privacy for the proposed new homes should not constitute a reason for refusal.

9.0 Reasons for Refusal 6 and 7

9.1 Following agreement with the Council, the sixth and seventh reasons for refusal are considered together. The sixth reason for refusal states:

'The proposed development, by virtue of its height, mass, scale and detailed design, would be detrimental to the street scene, canal side 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.'

And the seventh reason for refusal states:

'The proposed development, by reason of its design, layout and addition of gates, which fail to maximize the active frontage to Georgiana Street, would be detrimental to the street scene 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.'

9.2 Since the refusal letter was issued, it has been agreed to add proposed Condition 28, should planning permission be granted, and therefore it is no longer necessary to consider the addition of gates in reason for refusal 7.

9.3 The site is located in the east of Camden Town centre, close to excellent public transport links giving it a very high PTAL rating (6a). Having all the advantages of a town centre location in terms of services and facilities, Camden Local Plan Policy G1 Delivery & Location of Growth (**Core Document F9**) states it will deliver growth by securing high quality development and promoting the most efficient use of land and buildings by supporting development that makes best use of its site and by resisting development that makes inefficient use of Camden's limited land. The commentary that accompanies the policy states: 'Key priorities for delivering growth and harnessing its benefits include securing self-contained housing as the priority use of the Local Plan....'

9.4 As explained above, the site also lies within the Regents Canal Conservation Area. There are no statutorily-listed buildings immediately adjacent to the site, although part of the Royal College Street terrace that backs onto the site is locally listed (nos 120-136 and 140-142) and there are a couple of buildings and a structure that make 'a positive contribution' in close proximity – Eagle Wharf immediately to the north, The Constitution PH on the other side of Grays Inn Bridge and the bridge itself. Kevin Murphy will consider the Conservation Area and heritage assets in detail in his Proof.

- 9.5 The site has a site allocation (Site 35) (**Core Document F10**) which requires development to maintain employment uses on the site and to ‘...*optimise the potential of the site to provide new housing (including affordable housing)*...’. It also refers to the fairly open character of this section of the Regents Canal and any development should avoid excessive bulk and massing along the canal and ensure that views of the canal are improved. It goes on to say any new development in the western part of the site should consider the amenity of Royal College Street properties and that this is likely to limit the height of development on this part of the site.
- 9.6 In Section 6 of this Proof I have described the approach to the design of the proposals and their content, including height, mass, scale and detailed design and explained how these have been carefully considered in relation to the impact on their surroundings.
- 9.7 The main public views of the proposals are from the canal and the courtyard approach to massing will maintain the open character of this stretch of the waterway. The canal edge is set back from the main channel for about half of the site boundary meaning that Eagle Wharf sits forward of much of the Appeal site. This in turn means the proposed Building C sits back from Eagle Wharf and will not impede views of it from the towpath or from Grays Inn Bridge. This can be seen in the birds’ eye view on page 32 of the Design and Access Statement (**Core Document D4**). The resulting cluster of buildings along the bank of the canal creates an interesting and appropriate response to their setting.
- 9.8 The verified views AVR_001 and 002 contained within the Accurate Visual Representation report (**Core Document D13**) show how the height, scale and mass of the proposals will have minimal impact on the setting or views of the heritage assets - Eagle Wharf and the Constitution public house. Both remain fully visible from the towpath. View 2 in Section 4.04 of the Design and Access Statement (**Core Document D4**) also shows how the proposals will result in views of the Constitution public house remaining fully visible along Georgiana Street.
- 9.9 This approach was supported by Officers during the determination period for the Appeal scheme when the Case Officer sent an email on 7 April 2016 (**Core Document K4**) saying: ‘...*the layout, scale and orientation of the proposed buildings are, in general terms, considered to be appropriate to the site and broadly supported.*’ The height, mass and scale cannot therefore be seen to be detrimental to the street scene, canal side setting and the character and appearance of the wider area and used as a reason for refusal since Officers have clearly stated they broadly support the proposals.
- 9.10 The email went on to say a series of design issues that were ‘...*not considered sufficiently developed to reach the required standard to comply with Policies CS14 and DP24.*’ These came from an internal Council design panel, which we were not invited to attend. We queried many of the comments as their meaning was not clear but did not receive

any clarifications and were not given a further opportunity to discuss them with officers as they had already decided to refuse the scheme. The original intention had been to follow the submission of the application with larger scale, more detailed drawings and CGI's but, after the feedback received and the lack of willingness to engage, this was not pursued.

- 9.11 The first item in the series of design issues listed in the Case Officer's email of 7 April 2016 (**Core Document K4**) states the larger residential buildings do not achieve the required levels of amenity – this has already been covered under reason for refusal 3 above. It goes on to say there is no direct access from the affordable housing block to the main courtyard. Whilst this is the case, each of the apartments in this building has access to the courtyard as well as exclusive access to their own roof garden at first floor level (see drawing PL06, **Core Document E6**).
- 9.12 The second and fourth points in the Case Officer's email of 7 April 2016 refer to active frontage and the entrance area. Bullet point 3 of the guidance section of the Site Allocations Local Development Document (**Core Document F10**, Site 35, page 147) states that development will be expected to create an active frontage to Georgiana Street, and to maximise opportunities to provide linkages to the canal towpath. Bullet point 7 goes on to say that development should provide an active frontage to the canal and to the street in order to improve the relationship between the site and the public realm and to enhance the appearance and safety of the surrounding street scene.
- 9.13 The ground floor plan and street frontage elevation Drawing nos 194/PL05/P3 and PL/12/P3 (**Core Documents E5** and **E12**) indicate that the proposed development has been designed to maximize the active frontage to Georgiana Street with over two-thirds of the street frontage given over to glazed building entrances and glazed shopfronts. As explained previously, a generous entranceway provides access to a new landscaped courtyard and provides a direct view of the canal from Georgiana Street. The design and layout of the proposal, with its multiple entrances and large shopfronts, will greatly enliven and enhance the character of this part of the street.
- 9.14 UKPN and the proposed building's maintenance team both require 24 hour access with vehicles to the new sub-station and the plant room and, as the scheme is designed to be car-free, these must be placed on-street at the back of pavement as shown on Drawing nos 194/PL04/P2 & PL05/P3 (**Core Documents E4** and **E5**). They have been located together at the western end of the frontage, where they are discreetly recessed behind a projecting former shop unit at 54 Georgiana Street, to reduce their visual impact.
- 9.15 Given that servicing elements need to be incorporated on Georgiana Street, the substation and plant room have been designed to be as discreet as possible and to enable the maximum amount of active frontage at street level to improve the street scene.
- 9.16 The courtyard and entranceway will be overlooked, well-lit and will have entrances to both residential and business

premises opening from them, providing natural surveillance to people entering and exiting the building or using the courtyard as an amenity space, to create an active, safe and secure environment. Officers have suggested that the entranceway should have more window openings to increase natural surveillance. The number of windows was kept to a minimum in the application drawings following receipt of advice that they would need to be fire resisting. This could be reviewed however, and further windows could be considered for the B1 units on either side of the entranceway under proposed Condition 3, should planning permission be granted.

- 9.17 One of the aims of the Site Allocations Local Development Document (**Core Document F10**) is to maximise opportunities to provide linkages to the towpath. In this instance, it is not possible to provide a physical link as the towpath is on the opposite side of the canal. However the proposal includes a visual link to the towpath by providing a view through the new open courtyard. The new public open space will encourage pedestrian use into and out of it, which, along with its use by residents and occupants of the B1 space may help deter antisocial behaviour on the opposite bank.
- 9.18 The other points in the Case Officer's email of 7 April 2016 refer to the detailed design of Georgiana Street and the canal side buildings. To a great degree, this is subjective and I do not agree with Design Officers' objections to the proposals. However, the detailed design, which is described in Section 4.05 of the Design & Access Statement, was the subject of this feedback during the application and, although the clarification we sought was not forthcoming, some amendments were made to the principal elevations in an attempt to respond to the comments (drawing nos PL12-14, **Core Documents E12-14**). This included revision to the treatment of the fifth floor penthouse – we found it difficult to understand the comment '*The zinc-clad sixth (sic) lacks any design intent or visual interest*' and revised the treatment in order to stimulate further dialogue. As this did not occur, we would prefer to revert to the treatment as originally submitted as we consider it to be more successful.
- 9.19 Policies CS14 (Promoting high quality places and conserving our heritage) and DP24 (Securing high quality design) have been superseded by the new Local Plan policies D1 (Design) and D2 (Heritage) (**Core Documents F9**). I argue that our proposals satisfy the requirements of these policies in full, and Kevin Murphy will consider the impacts of the proposals on the setting and appearance of the Conservation Area in his Proof.
- 9.20 I assume the items included above would fall under Policy D1: '*The Council will require that development:....comprises details and materials that are of high quality and complement the local character.*'
- 9.21 Much of the feedback provided in the Case Officer's email of 7 April 2016 was in connection with the elevation onto Georgiana Street. This is designed to provide visual interest in three-dimensional, oblique views when approached along the street, rather than to be seen solely as an elevation (see the oblique view on page 34 of the Design &

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Access Statement, **Core Document D4**). This is how the building will be experienced by those living and working there and by passers-by.

- 9.22 The ground floor's deep brick reveals create a sense of strength and rhythm at street level, articulating the frontage and providing light and shade. The design of the upper floors is described in Section 6 of this Proof comprising a series of recessed brick panels with vertical brick detailing at each floor level, giving the elevation a unified appearance. The composition is asymmetric - the recessed panels modulate the rhythm with a variety in width, whilst tying the whole together. The composition was amended during the application period to introduce another bay and a wider module to some of the windows at upper levels to strengthen the rhythm.
- 9.23 A fifth floor is set back 1.5m from the street frontage and finished in a different facing material to distinguish it from the principal part of the building. This provides additional accommodation in a recessive manner, a device that is commonly used in many other developments. It does not extend over the whole of the fifth floor, but is located towards the eastern end, balancing the asymmetric composition.
- 9.24 The building changes direction as it approaches the bridge, facing St Pancras Way, but with part of the Georgiana Street frontage also visible when approaching from the south. The same treatment, grouping window openings within recessed brick panels, continues around this frontage maintaining the rhythm and a unified appearance. At the eastern end, the penultimate panel contains full height signage and the last panel is open, containing the balconies to the canal side frontage.
- 9.25 This is a contemporary approach to building design, acknowledging a new building typology in this location, but using recognisable features, such as shopfronts and deep reveals and building in a traditional brickwork, to give the architecture a distinctive but referential appearance.
- 9.26 Section 4.05 of the Design & Access Statement (**Core Documents D4**) also explains how the detailed design of the canal side buildings, with their full height bays, alludes to the industrial heritage of the site and to the Victorian warehouse at Eagle Wharf on the site adjacent.
- 9.27 This allusion, or indirect reference, is intended to relate the new buildings to those that may have formerly appeared on the site, although, other than old OS or insurance maps, there is little evidence of older wharf buildings. During pre-application discussions, it appeared that Council Officers wished the new buildings to have much more direct referencing to canal side warehouses and that they wished us to apply this along the Georgiana Street frontage as well (Pre-application feedback letter dated 23/12/15, under section named 'Detailed design', **Core Document K3**). We disagreed, as the majority of the latter frontage is not visible from the canal and therefore we felt a different treatment was called for.

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- 9.28 In the period that followed the refusal of this application, we took part in extended discussions with Design and Conservation Officers regarding the detailed design of these buildings to address their comments. It became clear over the following months that officers had a clear and largely preconceived idea of what they expected for this site and did not appear to be prepared to consider alternatives. Whilst we understand and agree with the Council's aim to achieve the best possible design for each scheme under consideration, we cannot agree that Design Officers should impose preconceived ideas on individual scheme designs.
- 9.29 The Council states there is a lack of articulation, depth and relief to the brick detailing (para 6.41 in the Council's Statement of Case, **Core Document I**), but we disagree. As explained above, the composition of the Georgiana Street elevation develops from the ground floor with a series of deep-set bays, recessing the entrances and shopfronts to give articulation and depth to street level which is continued above through a series of both deep and shallow, recessed bays, providing further articulation at upper floor level.
- 9.30 On the canal side, the use of inset balconies is further developed through the inclusion of a full height frame, on the taller building and a smaller version on the other. This alludes to loophole frames, or loading bays, commonly found in waterside warehouses. These balconies are 1.5m deep, adding depth and visual interest to this frontage, again with vertical brick detailing at floor levels.
- 9.31 The Council goes on to say the buildings fail to respond to the distinctive characteristics of local canal side industrial heritage. In fact there is only one such building nearby and in the site's context and that is the small part of Eagle Wharf that sits next to the Appeal site (the next nearest being at Camden Lock, or Kings Cross, both some way from the site). Whilst Eagle Wharf is noted as a building that makes a 'positive contribution', it has lost a number of the distinctive features of such architecture, such as the full height loophole frames, which have been bricked up, and loading platforms which have been removed or replaced with a balcony. Nevertheless, it was referenced in the Design & Access Statement and used in the development of the treatment of the proposed canal side buildings.
- 9.32 The Council state the inconsistent use of materials undermines clarity of architectural expression (also para 6.41 in the Council's Statement of Case, **Core Document I**). The vast majority of the proposal will be built in brick, which is appropriate given that its use is one of the distinctive characteristics of traditional canal side heritage. The Design and Access Statement page 36 (**Core Document D4**) suggests use of a multi stock type to complement the variety of brickwork to be found in the vicinity with a small amount of blue engineering brick at low level on the canal side. The only other facing material is zinc which is proposed for use on the setback top floor on the Georgiana Street building. This shows the intention to have a wholly consistent approach to materials and therefore to reinforce, rather than undermine, the clarity of architectural expression.

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- 9.33 The Council claims the fifth floor will be incongruous and visually prominent in long views (again, para 6.41 in the Council's Statement of Case, **Core Document I**). The proposed treatment as originally submitted would not be incongruous, since a similar treatment has been used in many other buildings including the part of Eagle Wharf that occurs around the bend in the canal (see photo, bottom left corner, page 15 Design & Access Statement **Core Document D4**), and on top of a converted Victorian warehouse known as the Henson Building further away at Oval Road, Camden Lock (see **Appendix Two/15**) so would be in keeping with canal context.
- 9.34 Much of the proposed detailed design, such as brickwork detailing and choice of facing materials, can be dealt with via condition and it is unreasonable to delay the delivery of a significant development that will produce high quality employment space and much-needed housing on this basis.
- 9.35 I contend that the detailed design will not be detrimental to the street scene, canal side setting and the character and appearance of the wider area, nor will it fail to maximize an active frontage to Georgiana Street. Instead the proposal provides a design that responds positively and sensitively to the site's history and context, producing a group of buildings that are designed to the highest quality that will endure and it is therefore considered that this should not constitute a reason for refusal.

10.0 Reason for Refusal 9

10.1 The Council's ninth reason for refusal states:

'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 policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and to policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.'

10.2 I have explained how the design has been developed to maintain outlook, privacy and daylight to surrounding dwellings in reason for refusal 4 above.

10.3 The existing two-storey building on the site sits hard up against the boundary with Royal College Street. The boundary wall contains a number of windows to offices and storage rooms within the former electricity board building which look at the existing houses (see **Appendix Five**). By contrast, the proposal has no windows in the proposed boundary wall. A couple of small windows to the new B1 mezzanine level are visible above the new section of garden wall but these are set more than 3m back from the boundary as shown on drawing no PL14, elevation 8 (**Core Document E14**). The proposed boundary situation will therefore be an improvement for the neighbours in Royal College Street.

10.4 The Council are under the impression that the wall on this boundary is considerably higher than the existing. This is not the case. The majority of the new boundary wall is at the same height as existing. In the central section, where the proposed wall forms the boundary to the wheelchair flat's courtyard it is 4.5m lower than existing. On either side of this the new wall is less than 1m higher than the existing. The majority is therefore the same height or lower than the building that is there now with only two short sections at a moderately higher level (see **Appendix Five**). The overall impact therefore is not overbearing and does not result in a significant loss of outlook for existing residents.

10.5 No 54 Georgiana Street is a tall, two storey, former commercial building that has been converted into a single dwelling. The front ground floor projects to the back of pavement whilst the rear has a two storey extension and small yard. The proposal lines up with the upper floor building line at the front, leaving the ground floor extension in the same relationship as exists now (see drawing no PL04-06, **Core Documents E4-6**). At the rear, the upper floors of the proposed building sit close to the building line of the rear two storey extension to no 54 as shown on drawing nos. PL06 and 7 (**Core Documents E6-7**). As explained, the proposed building lying perpendicular on the boundary with the Royal College Street properties has its parapet

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less than one metre above the existing office building. The proposed buildings will therefore have very little impact on the outlook from the front or rear of this property and will not be overbearing for the building's residents.

- 10.6 The massing of the Georgiana Street building places a three storey building on the western boundary with no 54. The ground and first floors of nos 118 and 120 Royal College Street currently face a blank two storey building at no 54 and have a very limited outlook. The proposal will rise one floor above the flank wall of no 54 and then step back before rising another two floors as shown on drawing no PL12 (**Core Documents E12**). This has been done to mediate between the existing and proposed scale of building and to maintain good levels of daylight to the rear of the Royal College Street houses.
- 10.7 At first floor level, the proposal includes a roof terrace to the flat at the eastern end of the Georgiana Street building (see drawing no PL06, **Core Documents E6**). As explained under reason for refusal 4, this terrace includes deep planters along its western boundary which will prevent residents looking over the boundary wall and which be planted with fast-growing bamboo for screening. On the floors above, flats have projecting balconies but these are placed further away from the boundary and will incorporate privacy screening on the western end to minimise overlooking (see drawing no PL07-09 and PL14, **Core Documents E7-9** and **E14**). The proposals have therefore taken reasonable measures to prevent future residents overlooking the yard of no 54, the gardens at the rear of 118-122 Royal College Street or the windows in the rear of these properties.
- 10.8 The proposed building on the northern part of the Appeal site (Building C) is designed so that the upper floors are 18m from the houses in Royal College Street, as shown in Diagram 4 on page 26 of the Design and Access Statement (**Core Document D4**), maintaining privacy for existing residents and minimising impact on their outlook. The application of the 18m minimum distance means the proposal fully complies with CPG6 Amenity (**Core Documents F15**). Windows in the rear of nos 122-128 and 132 Royal College Street will still have views towards the canal to either side of the proposed building and the impact on their outlook is therefore reduced. The overall impact will therefore not be overbearing and will not result in a significant loss of outlook for existing residents. It should be noted that the property whose outlook is likely to be most affected, no 130, is a commercial premises on all floors.
- 10.9 Toby Rogan-Lyons will discuss levels of daylight for these properties in his Proof and I note the conclusions.
- 10.10 The layout, height and massing of proposed buildings are designed to minimise the impact on outlook, privacy and daylight for residential neighbours. I have shown that the proposals will not have an overbearing impact nor an increased sense of enclosure on these properties, given the need to optimise the potential to provide new housing and the nature of a constrained, inner city site and in accordance with Camden Policy CS5 and DP26 and this should not therefore constitute a reason for refusal.

11.0 **Summary and conclusion**

- 11.1 My Proof has provided a description of the physical setting and context of the appeal site, the scheme content, design and amendment.
- 11.2 I have covered five Reasons for Refusal and I have given evidence to support the Appellant's case against each of these.
- 11.3 Under Reason for Refusal 2, I have shown how the design of the proposed scheme provides a mix of homes of different sizes, given the constraints of the site.
- 11.4 Under Reason for Refusal 3, I have shown how the proposals provide access to good quality outlook and external amenity space, adequate levels of daylight and reasonable levels of privacy for residents given the site constraints, and how the proposals result in a high standard of accommodation that will not be harmful to the amenity of future occupiers.
- 11.5 Under Reasons for Refusal 6 and 7, I have shown how the scheme design in terms of its proposed height, mass, scale and detailed design produces buildings of the highest quality that respond positively and sensitively to the site's history and context and how the design and layout of the Georgiana Street frontage provide an active frontage to improve and enhance the character and appearance of the surrounding area.
- 11.6 Under Reason for Refusal 9, I have shown how the proposals provide good levels of outlook and privacy and adequate levels of daylight to the occupiers of 54 Georgiana Street and 118-142 Royal College Street and that they do not have an increased sense of enclosure or an overbearing impact due to the height, massing and positioning of windows and balconies in relation to the site's western boundary.
- 11.7 For the above reasons, I respectfully request that the Appeal be allowed.