

Camden Planning Guidance

# Housing

London Borough of Camden

CPG 2



July 2015



## CPG2 Housing

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# 1 Introduction

## What is Camden Planning Guidance?

- 1.1 We have prepared this Camden Planning Guidance (CPG) to support the policies in our Local Development Framework (LDF). This guidance is therefore consistent with the Core Strategy and the Development Policies, and forms a Supplementary Planning Document (SPD) which is an additional “material consideration” in planning decisions. The Council formally adopted CPG2 Housing on 6 April 2011 following statutory consultation. The Camden Planning Guidance documents (CPG1 to CPG8) replace Camden Planning Guidance 2006.
- 1.2 This document (CPG2 Housing) has been subject to two updates:
- 4 September 2013 following statutory consultation in November to December 2012, and
  - 17 July 2015 following statutory consultation in March to April 2015.
- Details on these updates and the consultation process are available at [camden.gov.uk/cpg](http://camden.gov.uk/cpg).
- 1.3 The Camden Planning Guidance covers a range of topics (such as design, sustainability, amenity and planning obligations) and so all of the sections should be read in conjunction, and within the context of Camden’s LDF.

## Housing in Camden

- 1.4 A key priority for the Council is to ensure that everyone has the opportunity to live in a decent home at a price they can afford in a community where they want to live. Camden is a very popular place to live, which means that average house prices are high and that the demand for affordable housing far outstrips supply.
- 1.5 The Local Development Framework seeks to make full use of Camden’s capacity for housing to establish a plentiful supply and broad range of homes. In addition to meeting or exceeding Camden’s housing targets, the Local Development Framework seeks to ensure that new homes are built to a high standard and provide well-designed accommodation that meets the needs of a range of occupiers.

### **What does this guidance cover?**

- 1.6 This guidance provides information on all types of housing development within the borough. It provides specific guidance on:
- Affordable housing
  - Student housing
  - Residential Space standards
  - Lifetime homes and wheelchair housing
  - Development involving net loss of homes
- 1.7 It highlights the Council's requirements and guidelines which support the Local Development Framework policies:
- CS1 – Distribution of growth
  - CS5 – Managing the impact of growth and development
  - CS6 – Providing quality homes
  - CS14 – Promoting high quality places and conserving our heritage
  - DP1 – Mixed use development
  - DP2 – Making full use of Camden's capacity for housing
  - DP3 – Contributions to the supply of affordable housing
  - DP4 – Minimising the loss of affordable housing
  - DP5 – Homes of different sizes
  - DP6 – Lifetime homes and wheelchair housing
  - DP7 – Sheltered housing and care homes for older people
  - DP8 – Accommodation for homeless people and vulnerable people
  - DP9 – Student housing, bedsits and other housing with shared facilities
  - DP26 – Managing the impact of development on occupiers and neighbours

## 2 Affordable housing and housing in mixed use development

### KEY MESSAGES

- Affordable housing includes social and affordable rented housing and intermediate housing
- Residential and mixed-use development adding 1,000 sq m gross housing or more should provide affordable housing
- Most mixed-use developments with residential floorspace should provide 50% affordable housing
- Residential developments should provide a proportion of affordable housing depending on their capacity for homes, taking into account proposed floorspace and number of dwellings
- Residential developments with capacity for 50 or more homes should provide 50% affordable housing
- Affordable housing should include a large proportion of family homes and contribute to creating mixed and inclusive communities
- Affordable housing should generally be provided on site

- 2.1 The guidance on affordable housing relates to Core Strategy policy CS6 - *Providing quality homes*, and Development Policies DP3 – *Contributions to the supply of affordable housing*, DP4 – *Minimising the loss of affordable homes*, and DP5 – *Homes of different sizes*. The guidance on housing in mixed-use development relates to Core Strategy policy CS1 – *Distribution of growth* and Development Policy DP1 – *Mixed-use development*.
- 2.2 The guidance is divided into seven subsections. Each subsection deals with a different question relating to requirements for affordable housing and housing in mixed-use development as follows:
- what is affordable housing?
  - which developments should contribute to affordable housing?
  - how much affordable housing do we expect?
  - what types of affordable housing do we expect?
  - how is affordable housing funded?
  - how will the Council consider financial viability?
  - can the market housing and affordable housing be provided off-site?
- 2.3 The property market, development finance and affordable housing funding have all been subject to considerable change since 2007, and it is likely that change will continue.
- 2.4 The implementation of planning policy will need to respond to these changes. Implementation guidance therefore needs to be more readily

reviewed and amended than would be possible within the Core Strategy or Development Policies.

- 2.5 The Government has introduced changes to national planning practice guidance in relation to affordable housing thresholds and seeking affordable housing where vacant floorspace is developed for housing ("*vacant building credit*"). The Council is considering the implications of these changes and how they will operate in conjunction with Camden Development Policies 2010. This guidance will therefore continue to be subject to review as the need arises.

### **When does this guidance apply?**

- 2.6 This guidance applies primarily to development that:
- provides an additional 1,000 sq m or more (gross) of housing in Use Class C3 or Use Class C4, or
  - provides an addition of 200 sq m or more (gross) of non-residential floorspace in the Central London Area (excluding Hatton Garden) or the town centres of Camden Road, Finchley Road/ Swiss Cottage and Kilburn High Road, or
  - provides affordable housing floorspace, or
  - involves the loss and replacement of affordable housing floor space.
- 2.7 We strongly encourage developers to involve a housing association or other affordable housing provider in the design of proposed affordable homes before submitting a planning application. Affordable housing development that is not purpose-designed is less likely to receive public funding and less likely to be sold or let to an affordable housing provider.

#### **HOUSING ASSOCIATIONS AND REGISTERED PROVIDERS**

Registered Providers are owners and managers of affordable housing who are regulated by Government. Many operate on a not-for-profit basis and use any trading surplus to maintain existing homes and to help finance new ones. Registered Providers include the Council, housing associations, housing trusts and cooperatives. In this guidance, the term housing associations is used to refer to all Registered Providers other than the Council.

- 2.8 A developer considering the appropriate use or mix of uses for a site should contact the Council's Regeneration and Planning Division in the first instance. The Strategic Planning and Information Team can provide initial guidance on the interpretation of policies in the Core Strategy and Development Policies document.
- 2.9 A formal pre-planning application advice service is available for development proposals. A fee is charged for this service on the basis of the size of the proposed development. We strongly encourage developers to use this service if they are proposing development of the type described in paragraph 2.6 of this guidance.



- 2.10 Where we are seeking affordable housing the developer should contact the Housing Commissioning and Partnerships Team. This team will provide guidance on the types of affordable housing that the Council is currently prioritising and suggest potential housing association partners that would be appropriate for the scheme. Paragraphs 2.60 and 2.61 of this guidance give more details of the Council's arrangements with housing associations.

## Guidance

### What is affordable housing?

- 2.11 Affordable housing is defined in the Government's National Planning Policy Framework (NPPF) – Annex 2 The NPPF indicates that affordable housing should:
- be provided to households whose needs are not met by the market, and
  - be provided to households who are eligible for affordable housing, taking into account local incomes and local house prices, and
  - remain at an affordable price for future eligible households unless arrangements are in place for subsidies to be recycled into alternative affordable housing provision.
- 2.12 Three types of affordable housing are defined in the NPPF– these are **social rented housing**, **affordable rented housing** and **intermediate housing**.
- 2.13 **Social rented housing** is primarily housing managed by local councils and housing associations. The cost of social rented housing is controlled through target rents set by a national rent regime. Other affordable housing providers may manage social rented housing under the same rental arrangements.
- 2.14 **Affordable rented housing** is housing managed by local councils and housing associations and let to households who are eligible for social rented housing. Rents are set on a scheme-by-scheme basis and are guided by local market rents rather than a national rent regime.
- 2.15 The NPPF indicates that rents should not exceed 80% of the local market rent (including service charges where they apply). In practice, most affordable rented housing in Camden has rents significantly below 80% of market rents. The Mayor's Housing Supplementary Planning Guidance (November 2012) stresses that the maximum percentage will not apply in all schemes or to all units within a scheme. The SPG also indicates that on average family units will be around target rent levels for social rented housing.
- 2.16 Camden Core Strategy 2010-2025 and Camden Development Policies 2010 do not include affordable rented housing as they were adopted before the new housing product was introduced. To guide operation of Camden's adopted planning policies, we will follow the approach of the

London Plan, and consider social rent and affordable rent together as "social-affordable rented housing". References to social rented housing in the Core Strategy and Development Policies documents will be treated as references to social-affordable rented housing.

- 2.17 **Intermediate housing** is housing that costs more than social housing but less than equivalent market housing. Intermediate housing costs (including service charges) must also be cheap enough for eligible income groups to afford. The London Plan and the Mayor's annual reviews provide details of eligible income groups. Most intermediate housing in Camden has been provided by housing associations, but the NPPF indicates that intermediate housing can include homes provided by private sector bodies. Provided that it costs less than market housing and is cheap enough for eligible income groups, intermediate housing can include a range of tenures such as:
- rented housing;
  - shared-ownership housing (where occupiers buy a share and rent the remainder);
  - shared equity housing and
  - homes for sale at less than market prices.
- 2.18 Camden controls the cost of intermediate housing taking into account market costs and the eligible income groups set out in the London Plan and the Mayor's annual reviews. Further Alterations to the London Plan published in January 2014 indicated that eligible households were those with incomes of less than £66,000<sup>1</sup> per year, or £80,000<sup>1</sup> for family homes, defined as having three or more bedrooms. The Mayor's Housing Supplementary Planning Guidance (November 2012) noted that the London Plan eligibility figures are expressed in terms of gross household income. The Guidance also advised that Councils should seek intermediate homes that are affordable to households within the full range of incomes below the upper limit, and take account of service charges when considering the cost of affordable housing. The London Plan Annual Monitoring Report 10, 2012-13, notes that the Mayor will monitor the average annual incomes of households moving into intermediate housing against a benchmark of £43,550<sup>2</sup>, or £50,550 for family homes with three bedrooms or more.
- 2.19 Eligible household incomes for intermediate housing are reviewed each year through the London Plan Annual Monitoring Report, which also indicates how the affordability of intermediate housing will be assessed.

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<sup>1</sup> updated to £71,000 per year or £85,000 for family homes in London Plan Annual Monitoring Report 11, 2013-14

<sup>2</sup> updated to £46,250 in London Plan Annual Monitoring Report 11, 2013-14

The London Plan Annual Monitoring Report 10, 2012-13 indicates that intermediate housing should cost:

- no more than 3.5 times the household income threshold to buy<sup>3</sup>; and
- no more than 40% of net household income including rent and service charges (with net income assumed to be 70% of gross income).

- 2.20 Camden's Core Strategy recognises that intermediate housing needs to be attractive to a range of household types across a range of incomes. More guidance is provided on how we seek a range of intermediate housing in the sub-section 'What types of affordable housing do we expect?'

### **Which developments should contribute to affordable housing?**

- 2.21 Camden's Development Policies document indicates that the Council will expect all residential developments with capacity for 10 or more additional dwellings to make a contribution to the supply of affordable housing. This also applies to mixed-use developments that include housing and have capacity for 10 or more dwellings in addition to any appropriate non-residential floorspace.
- 2.22 Camden's Development Policies document also indicates that an additional floorspace of 1,000 sq m (gross) is capable of accommodating 10 dwellings, and any development adding residential floorspace of 1,000 sq m (gross) or more should make a contribution to the supply of affordable housing.
- 2.23 A contribution to affordable housing is expected from schemes that add fewer than 10 dwellings but add more than 1,000 sq m floorspace (gross) on the basis that economic viability can still be achieved from a small number of larger and more expensive homes. A contribution will also be sought from schemes that add 10 or more dwellings but add less than 1,000 sq m floorspace (gross) unless the applicant demonstrates it would not be financially viable to proceed with the development on that basis (see the sub-section How will the Council consider financial viability?).
- 2.24 We acknowledge that an addition of 1,000 sq m residential floorspace will not have a 10 dwelling capacity in every single case. In assessing capacity, the Council will take into account whether the additional area is capable of contributing to the number of homes in the scheme (e.g. does it have access to natural light?). We will also take into account any other constraints that would prevent 10 dwellings from being developed, such

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<sup>3</sup> the stipulation in the first bullet point no longer appears in London Plan Annual Monitoring Report 11, 2013-14

as where it would be impractical to provide safe vehicle access for 10 dwellings, or inappropriate to subdivide a Listed Building.

- 2.25 Under Development Policy DP1, the Council requires mixed-use developments to include housing where appropriate. Paragraphs 1.19 to 1.24 of the Development Policies document provide more guidance on how the Council will consider whether a contribution to the supply of housing is appropriate. In the Central London Area (except Hatton Garden) and the larger town centres of Camden Town, Finchley Road/ Swiss Cottage and Kilburn High Road, where development proposals add 200 sq m (gross) floorspace or more, policy DP1 requires up to 50% of additional floorspace to be housing. This requirement combines with the affordable housing requirements of policy DP3 so that in the Central London Area and the larger town centres, where developments add 2,000 sq m (gross) floorspace or more:
- the Council will generally seek 1,000 sq m or more of additional housing;
  - the development will generally have capacity for 10 or more additional homes, and we will expect a contribution to the supply of affordable housing.
- 2.26 The floorspace thresholds relating to Development Policies DP1 and DP3 refer to additions to gross floorspace (and are assessed in terms of Gross External Area – GEA – including each floor, including the thickness of external walls, partition walls and common areas). The policy requirements in policy DP1 are not triggered by increases in net non-residential floor space that take place wholly within the existing building envelope, such as reduction in circulation space, common areas or plant areas. However, works involving a change to residential use will trigger policy DP3 affordable housing requirements if the residential floorspace has capacity for 10 or more additional homes.
- 2.27 Floorspace measurements are sometimes provided which exclude common areas and exterior walls of the building (this often applies to flats), or just exclude the exterior walls (this often applies to houses). Where a figure for Gross External Area including common areas is not available, the Council will consider using a conversion factor to assess the housing/ affordable housing requirement and to calculate the payment in lieu.
- To convert to GEA where common areas and exterior walls have been excluded - multiply by 1.25.
  - To convert to GEA where only exterior walls have been excluded – multiply by 1.053.

#### **GROSS EXTERNAL AREA/ GROSS EXTERNAL FLOORSPACE**

The whole area of a building taking each floor into account. Includes the thickness of external walls, partition walls and common areas such as shared staircases, entrance halls and corridors.

**GROSS INTERNAL AREA/ GROSS INTERNAL FLOORSPACE**

The whole enclosed area of a building within the external walls taking each floor into account and excluding the thickness of the external walls. Includes the thickness of partition walls and common areas such as shared staircases, entrance halls and corridors.

**NET INTERNAL AREA/ NET INTERNAL FLOORSPACE**

The usable area within a building measured to the face of perimeter or party walls. Includes the thickness of internal partition walls, but excludes common areas and the thickness of partition walls that define the edge of common areas.

- 2.28 As indicated in the Development Policies document, the approach to affordable housing set out in policy DP3 and in this guidance is suitable for housing that is self-contained, including self-contained sheltered housing for older people (i.e. homes in Use Class C3). The approach will also apply if additional floorspace is proposed in Use Class C4 (small houses in multiple occupation) as these can be used as self-contained C3 homes without submitting a planning application.
- 2.29 This approach to affordable housing is not suitable for housing with shared facilities, such as student housing and bedsits. A contribution to affordable housing is not generally expected from developments of student housing and other housing with shared facilities provided that it complies with Development Policy DP9 and contributes to creating a mixed and inclusive community. However, the Council will seek to ensure that student housing is attractive to groups who would otherwise share private rented homes, and in some circumstances will seek self-contained general needs housing on part of the site, including affordable housing. A separate section of our planning guidance gives more information about development of **Student Housing**.
- 2.30 The Council may need to consider controlling the affordability of care homes for older people and accommodation for homeless people or vulnerable people. Some aspects of this guidance will not be suitable for these types of housing, and the Council will tailor its approach as appropriate to fit the specific type of occupier and provider.

**How much affordable housing do we expect?**

- 2.31 Our Core Strategy and Development Policies give targets and criteria which we use to assess the appropriate contribution to affordable housing from each development. These include:
- an overall borough target equivalent to 220 additional affordable homes per year;
  - seeking to achieve the maximum reasonable amount of affordable housing under the specific circumstances of the site, including the financial viability of the development;
  - aiming to minimise social polarisation and create mixed and inclusive communities;

- an affordable housing target for specific developments of 50% of additional residential floorspace; and
- a sliding scale setting lower affordable housing targets for developments that have capacity for 10 to 49 additional homes.

- 2.32 The sliding scale is explained in paragraphs 3.17 to 3.20 of our Development Policies document. The purpose of the sliding scale is to encourage developers to cross the 10-dwelling threshold and propose medium-sized schemes rather than small schemes. In this way the sliding scale has potential to add significantly to the number of schemes that deliver affordable housing, and the overall amount of affordable housing. Paragraph 3.21 of the Development Policies document indicates that we will monitor the operation of the sliding scale closely to assess its impact on the supply of housing, and consider any need to review the approach through our Annual Monitoring Report.
- 2.33 The sliding scale is a simple straight-line scale, where every increase of 1 home in site capacity should provide an additional 1% in affordable housing floorspace. Sites with capacity for 10 additional homes should normally provide 10% affordable housing floorspace, sites with capacity for 20 additional homes should normally provide 20% affordable housing floorspace, and sites with capacity for 40 additional homes should normally provide 40% additional floorspace. Figure 1 below indicates how the sliding scale will operate in more detail.
- 2.34 When we assess capacity, we will look at the number of additional homes proposed and the additional built floorspace (GEA). As a minimum, an acceptable development has capacity for the number of additional homes proposed. In terms of floorspace, 1,000 sq m (GEA) of built development is considered to have capacity for 10 dwellings. Each additional 100 sq m (GEA) added to the development is considered to create capacity for an additional dwelling (including capacity for a share of common areas such as shared staircases, entrance halls and corridors). We will round floorspace to the nearest 100 sq m to give capacity in terms of the nearest whole number. In negotiations we will focus on seeking affordable homes of an appropriate size and layout rather than absolute mathematical correspondence with the sliding scale.

Figure 1. Sliding scale for affordable housing negotiations

<b>Benchmark</b>	<b>Site capacity</b>	<b>Expected affordable housing floorspace</b>
10 homes proposed, or fewer homes with a floorspace of 1,000 sq m gross	10 homes	10%
20 homes proposed, or fewer homes with a floorspace of 2,000 sq m gross	20 homes	20%
30 homes proposed, or fewer homes with a floorspace of 3,000 sq m gross	30 homes	30%
40 homes proposed, or fewer homes with a floorspace of 4,000 sq m gross	40 homes	40%
50 homes or more proposed, or fewer homes with a floorspace of 5,000 sq m gross or more	50 homes or more	50%
<b>Example</b>	<b>Site capacity</b>	<b>Expected affordable housing floorspace</b>
11 homes with a built floorspace of 925 sq m gross	11 homes	11% x 925 sq m
21 homes with a built floorspace of 1,735 sq m gross	21 homes	21% x 1,735 sq m
21 homes with a built floorspace of 2,360 sq m gross	24 homes	24% x 2,360 sq m
35 homes with a built floorspace of 3,749 sq m gross	37 homes	37% x 3,749 sq m
46 homes with a built floorspace of 4,280 sq m gross	46 homes	46% x 4,280 sq m
53 homes with a built floorspace of 4,640 sq m gross	50 homes or more	50% x 4,640 sq m

2.35 As indicated in paragraphs 1.12 and 3.18 of our Development Policies document, the sliding scale will only apply to mixed use developments that include housing in limited circumstances.

- The sliding scale will apply if the development adds less than 1,000 sq m to non-residential floorspace but has a residential element with capacity for an additional 10 to 49 homes (i.e. 1,000sq m to 4,900sq m residential floor space).
- The sliding scale will not apply if the development includes an addition to non-residential floorspace of 1,000 sq m or more. In this case there is significant potential for the non-residential element to enhance the viability of the development, and we will seek 50% of residential floorspace as affordable housing (subject to DP3 criteria).



- In all mixed-use schemes with capacity for 50 or more additional homes we will seek 50% of residential floorspace as affordable housing (subject to DP3 criteria).
- 2.36 When negotiating on individual schemes, Camden calculates the proportion of housing in each category (market/ social-affordable rented/ intermediate) in terms of floorspace. This arrangement enables us to negotiate family-sized affordable housing in schemes where the developer proposes smaller market homes, and prevents an under-provision of affordable housing where the developer proposes unusually large market homes. Calculations will not generally be based on the number of dwellings or number of habitable rooms as these calculations would create an incentive for the developer to provide the smallest affordable homes possible.
- 2.37 Calculations of the capacity of the site are based on gross floorspace (GEA), including common areas. However, once the GEA has been used to identify the target affordable housing percentage, it is then generally more appropriate to use net internal floorspace when considering the split between market, social rented and intermediate housing. This allows the homes themselves to be compared without the distortion of shared spaces such as external corridors and lobbies, lifts and common staircases. See paragraph 2.27 of this guidance for more detailed definitions of gross and net floorspace.
- 2.38 Policy CS6 of our Core Strategy and Development Policy DP3 indicate that the Council will consider many other characteristics of the development, the site and the area when negotiating the proportion of affordable housing in specific schemes. These considerations are explained in detail in paragraphs 3.24 to 3.29 of our Development Policies document. Considerations include seeking a mixture of tenures in each part of the borough, having regard to any social problems arising from existing concentrations of a single tenure, and other planning objectives considered to be a priority for the site. As part of estate regeneration we will seek to improve the tenure mix in some areas of concentrated social rented housing, such as parts of Gospel Oak.
- 2.39 Where we agree that the affordable housing can be provided off-site, the amount of affordable housing sought will be adjusted. These adjustments are explained in the sub-section '**Can the market housing and affordable housing be provided off-site?**'
- 2.40 The Camden Affordable Housing Viability Study 2009 examined the viability of the sliding scale and the 50% floorspace target for sites with capacity for 50 homes or more. The Study indicates that the scale and target is financially viable for a range of scheme types across a range of locations in the borough. However, there will be circumstances where the percentage of affordable housing sought by the sliding scale or target is not viable. The sub-section '**How will the Council consider financial viability?**' explains what we will expect from the developer in these circumstances.



## What types of affordable housing do we expect?

### Mixing affordable housing and market housing

- 2.41 The Council expects affordable housing and market housing to form integral parts of each development. A common design approach should be used, with high quality materials and finishes throughout. Where a development site is large enough to accommodate several residential blocks, market and affordable blocks should be spread evenly across the site. The layout of the development should optimise residential amenity for all tenures, and avoid concentrating affordable housing close to potential sources of disturbance such as service yards, traffic and railways.
- 2.42 As indicated in paragraph 3.26 of our Development Policies document, in schemes with internal communal spaces, the Council does not generally seek to mix affordable and market dwellings on the same corridors or sharing the same stairs, lifts and entrance lobbies. This is because occupiers have to pay a service charge and/ or management charge for the cleaning and maintenance of communal spaces. Service charges are often a significant proportion of overall housing costs, particularly in market housing blocks, and can simply be too high for the occupiers of affordable housing to pay. The law ensures that an occupier cannot be required to pay higher service charges to subsidise charges to another occupier receiving the same common services, regardless of tenure. To ensure that service charges are kept to a minimum, the communal parts of affordable housing are generally designed for durability and low maintenance costs.

#### **SERVICE CHARGES**

Service charges are levied by landlords to recover the costs they incur in providing services to a dwelling. The charge normally covers the cost of such matters as general maintenance and repairs, insurance of the building and, where the services are provided, central heating, lifts, lighting and cleaning of common areas etc.

- 2.43 Where it is necessary for affordable and market housing to share the same entrances, stairs and lifts, the Council will seek to negotiate service charges sufficiently low for the affordable housing to be available to eligible households. Paragraph 3.14 of the Development Policies document notes that the Council may consider an off-site contribution to affordable housing if the service or management charges of an on-site scheme would be too expensive for affordable housing occupiers or providers. The Council will only take this step where measures to keep service and management charges within affordable limits have been fully explored and found to be impractical. For more information - see the sub-section of this guidance '**Can the affordable housing be provided off-site?**'

### **Mix of social-affordable rented housing and intermediate housing**

- 2.44 The Core Strategy indicates that we are aiming to tackle social polarisation and create mixed and balanced communities by seeking a diverse range of housing products to suit a range of incomes. Many households who need affordable homes in Camden will only be able to afford social rented or affordable rented housing, however we recognise that intermediate housing can make an important contribution to creating mixed-communities. Camden's Core Strategy sets out guidelines that 60% of affordable housing should be social rented housing (now treated as social-affordable rented housing) and 40% should be intermediate housing. As indicated in paragraphs 2.36 and 2.37 of this guidance, it will generally be appropriate to calculate the split between social-affordable rented and intermediate housing in terms of net internal floorspace.
- 2.45 Since adoption of Camden's Core Strategy and Development Policies document, the Government has introduced a new product called affordable rented housing. More information about affordable rented housing is provided in paragraph 2.14 to 2.16 of this guidance.
- 2.46 Rents for affordable rented housing are set on a scheme by scheme basis. Affordable rented housing should comply with the Government's definition of affordable housing and be affordable to households whose needs are not met by market housing, having regard to lower quartile market rents available locally and across the borough. The Council is unlikely to support proposals for affordable rented homes that would be more expensive than market homes available anywhere in the borough. The Mayor's Housing Supplementary Planning Guidance (November 2012) indicates that providers may wish to charge a lower rent than the relevant Local Housing Allowance (LHA) cap, which is the maximum housing benefit available to most households living in privately rented accommodation. The Council will strongly encourage providers to view the LHA cap as the maximum acceptable affordable rent where the cap is less than 80% of local market rents.
- 2.47 Paragraph 6.57 of Camden's Core Strategy and Development Policy DP3 indicate that the Council will consider various characteristics of the development, the site and the area when negotiating the nature of the affordable housing contribution from specific schemes. Considerations that may influence the proportion of social-affordable rented housing and intermediate housing are set out in paragraphs 3.22 to 3.30 of our Development Policies document. Circumstances where the Council may depart from the 60% social-affordable rented: 40% intermediate split include:
- providing flexibility for up to 100% social-affordable rented housing or 100% intermediate housing where the overall proportion of affordable housing in the scheme is substantially over 50%;
  - seeking up to 100% social-affordable rented housing where the overall proportion of affordable housing in the scheme is 30% or less;

- providing flexibility for more than 40% intermediate housing where this can help to create a mixed and inclusive community in an area with an existing concentration of social rented housing; and
- providing flexibility for more than 60% social-affordable rented housing where high residential land values will make intermediate housing too expensive for the households that need it.

2.48 A number of intermediate housing types have been devised by the Government (most are currently marketed in London via the Mayor's First Steps programme). Camden seeks a variety of intermediate housing to suit different needs. Due to the high market values in Camden and lenders' deposit requirements, it is now rarely possible to develop homes for shared ownership in Camden that would be affordable to households with incomes below the Mayor's eligibility caps. The Council will therefore generally seek intermediate rented housing, rather than shared-ownership housing (where occupiers buy a share and rent the remainder). However, all intermediate housing must comply with the cost requirements imposed by the Government and Mayor as indicated in paragraphs 2.17 to 2.19 of this guidance. When costs are assessed, service charges are included, and we will encourage developers to take this into account at the design stage so that service charges are minimised.

#### **FIRST STEPS**

First Steps is the official intermediate housing programme from the Mayor of London aimed at helping low and modest income Londoners to buy or rent a property at a price they can afford. Priority is given to housing association and Council tenants and armed forces personal, followed by local priorities, which may vary from development to development. Camden's local priorities include tenants in social rented housing, people on the waiting list, and first-time buyers with a limited income, such as key workers.

- 2.49 We are particularly keen to promote take up of intermediate housing by tenants of social-affordable rented housing. On the basis of the household incomes of those registering an interest in intermediate housing, Camden will seek to achieve a proportion of the following (these figures are currently under review):
- intermediate rented homes that households can afford with an income of £30,000 or less per year (gross);
  - one-bedroom shared-ownership homes that households can afford with an income of £30,000 or less per year (gross);
  - two-bedroom shared-ownership homes that households can afford with an income of £40,000 or less per year (gross).
- 2.50 In negotiations on intermediate housing and legal agreements, the Council will seek to ensure that homes are occupied by households in need of affordable housing, particularly tenants of existing social-affordable rented housing, and do not remain vacant due to high costs or a shortage of mortgage finance. We will provide flexibility within legal

agreements to allow different intermediate models to be used depending on demand when the development is completed. We will also provide for intermediate housing to be used as social-affordable rented housing where this would be viable in the context of the overall financial viability of the development and any public subsidy available.

- 2.51 In the case of shared ownership housing, we will use legal agreements to reduce the costs to occupiers by:
- ensuring that buyers are able to buy a relatively low percentage share – generally we will set the minimum share at no more than 25%; and
  - limiting the level of the rent paid on the unsold share – generally we will set the maximum rent at 2% of the value of the unsold share.
- 2.52 When intermediate housing was first introduced it was often aimed specifically at key workers. Key workers are generally defined as staff of public authorities such as the NHS, teachers, social workers, fire-fighters, the police and the armed forces. The Council will not generally limit occupation of intermediate housing to key workers. Where a restriction to key workers is appropriate in the context of the characteristics of the development or the area, Camden will generally use the definition of key workers given in this guidance, varied as necessary to meet the purpose of the proposal (eg for development on NHS land to provide housing for nurses). When considering the proportion of key worker housing appropriate to a development, the Council will have regard Development Policy DP3, the characteristics of the development and the area and the circumstances noted in paragraph 2.47 of this guidance.

### **Mix of dwelling sizes**

- 2.53 The Council's Residential development standards (included as section 4 of this CPG) give general guidance on the floorspace and internal arrangements for all housing tenures. In addition, homes of all tenures should meet lifetime standards in accordance with Development Policy DP6 and the guidance in this CPG on Lifetime homes and wheelchair housing. Three other sets of guidance are particularly relevant to affordable housing design:
- The London Plan 2011 sets residential space standards that the Mayor will apply to development of housing in all tenures.
  - Housing with public subsidy in London must comply with the Mayor's London Housing Design Guide (published in interim form in August 2010).
  - Housing Supplementary Planning Guidance November 2012 published by the Mayor of London incorporates elements of the London Housing Design Guide and applies to development of housing in all tenures.
- 2.54 This sub-section of the guidance is concerned primarily with the numbers of bedrooms that are expected as part of affordable housing development. Camden's Core Strategy indicates that we will seek a

range of self-contained homes to meet identified dwelling size priorities. These priorities are set out in detail in our Development Policies document, which includes a Dwelling Size Priorities Table.

- 2.55 For social-affordable rented housing, we will give high priority to family homes with three or more bedrooms. Market rents in Camden are far beyond the reach of most families in housing need. The Mayor's Housing Supplementary Planning Guidance (November 2012) indicates that on average family units will be around target rent levels. When seeking the maximum reasonable proportion of affordable housing, the Council will encourage the provision of affordable rented housing in accordance with the NPPF definition and give priority to family homes at or around the level of guideline targets for social rents as resources and development viability permit.
- 2.56 Due to the high market values in Camden it is no longer likely to be possible to develop intermediate housing for shared-ownership that has more than one bedroom and remains affordable to households with incomes below the Mayor's eligibility caps. Consequently the intermediate dwelling size priorities set out in the Development Plan document are no longer appropriate. For intermediate housing, we will focus on ensuring that housing is affordable to households who are eligible for intermediate housing and have a range of incomes below the upper limit set by the Mayor. We will not generally seek dwellings with 2-bedrooms or more. More detailed guidance is given in the following Figure 2 and Figure 3.

**Figure 2. Mix of social-affordable rented housing**

<p><b>Overall aim: 50% of homes with 3 bedrooms or more</b></p> <p><b>Preferred mix:</b></p> <ul style="list-style-type: none"> <li>• 1-bedroom homes – no more than 20%</li> <li>• 2-bedroom homes – 30%</li> <li>• 3-bedroom homes – 30%, or 50% if no 4-bedroom homes are provided</li> <li>• 4-bedroom homes – 20%</li> </ul> <p><b>Other objectives:</b></p> <ul style="list-style-type: none"> <li>• Priority will be given to 3- and 4-bedroom homes at or around the level of guideline targets for social rent.</li> <li>• Social-affordable rented homes should have physically separate kitchens and living areas where practical, particularly 3- and 4-bedrooms homes. We will seek the design of 100% of 3 bedroom and 50% of 2 bedroom homes with physically separate kitchens and living areas.</li> <li>• At least 10% of homes should be designed, built and fitted-out to meet wheelchair housing standards in accordance with Development Policy DP6, subject to accompanying paragraph 6.9.</li> </ul>
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### Figure 3. Mix of intermediate housing

**Preferred mix:**

In order to meet needs while remaining within the cost limits set out in paragraphs 2.17 to 2.19 of this guidance, we expect most intermediate homes in Camden developments to have no more than one bedroom.

- Studio flats – a proportion of studio flats may be acceptable, but we will generally resist development where all the intermediate homes are studio flats
- 1-bedroom homes – a proportion is expected in all schemes
- 2-bedrooms or more – a proportion may be included where it is possible to provide them within the limits of eligible incomes and affordability – such homes are likely to be for intermediate rent rather than shared-ownership

**Other objectives:**

- At least 10% of homes should be designed, built and fitted-out to meet wheelchair housing standards in accordance with Development Policy DP6, subject to accompanying paragraph 6.9.

- 2.57 The precise mix of dwellings will be negotiated with developers, affordable housing providers and any employers involved in each scheme, taking into account the character of the development, the site and the area, and other criteria included in Development Policy DP5. We will take full account of guidance in the Development Policies document dealing with large homes, child density and separate kitchens (paragraphs 5.11 to 5.13), and wheelchair housing (paragraph 6.9).
- 2.58 Where schemes involve both social-affordable rented housing and intermediate housing, it may often be appropriate to have a high proportion of one-bedroom intermediate homes and a high proportion of social-affordable rented homes with three bedrooms or more. Such schemes can potentially meet our dwelling size priorities while limiting the cost of the intermediate housing and limiting overall child density.

### How is affordable housing funded?

- 2.59 Public subsidy will usually be needed to supply the proportions of affordable housing anticipated by the Core Strategy and Development Policies. The main source of public subsidy has been the Homes and Communities Agency until recently, although the Agency's funding role within London is now carried out by the Mayor. The Council also administers its own affordable housing fund, which is formed from developer contributions where a payment-in-lieu has been provided instead of housing or affordable housing. The Council will consider providing subsidy from the affordable housing fund where funding from the Mayor of London (or successor organisations) is not available or is unable to secure an acceptable proportion and mix of affordable housing. In particular, the Council may offer subsidy from the affordable



housing fund to secure additional large homes (3 or 4 bedrooms) and additional wheelchair housing.

- 2.60 The NPPF indicates that affordable housing should remain at an affordable price for future eligible households, or if these restrictions are lifted, the subsidy should be recycled. In practice, almost all additions to affordable housing in the borough that are associated with private development are transferred to a housing association on completion. Where this is the case, we will ensure that the property remains available as affordable housing by negotiating transfer of the freehold to the housing association. Where this is not possible, for example because of mixed-tenures or commercial uses within the block, the Council will negotiate for a long-lease to the housing association, ideally 125 years.
- 2.61 Where the affordable housing is to be transferred to a housing association, one or more housing associations will usually submit bids to the developer to indicate how much they are able to pay for the transfer of ownership. The payment will be inclusive of any public subsidy, the capitalised value of future rents, and the value of any equity that will be sold (usually arising from shared-ownership housing). Camden's Affordable Housing Viability Study 2009 estimated that where subsidy is available payments have typically been around 60% of the market value of social rented homes and 80% of the market value of shared-ownership homes. These estimates reduce to 40% and 60% respectively if no public subsidy is available. For specific schemes these percentages will vary with market values, the availability of credit, levels of public subsidy, changes to Government controls on rents and changes to the Mayor's guidance on the income level of occupiers.
- 2.62 The Government has reduced the amount of public funding available for affordable housing. This is leading to a reduction in the number of developments that receive subsidy and a reduction in the amount of any subsidy paid for each home. We acknowledge that if public subsidy is not available the proportions of affordable housing anticipated by the Core Strategy and Development Policies will not be viable in all developments.
- 2.63 In some cases, it may be possible to provide intermediate housing without direct public subsidy, particularly shared ownership homes. Such opportunities can arise where land is acquired cheaply, where unusually small homes are developed, or where charitable contributions are available. We will actively pursue such opportunities, and (in accordance with paragraph 2.47 of this guidance) may be prepared to consider schemes with up to 100% intermediate housing where the overall proportion of affordable housing floorspace in the development is substantially more than 50%. Where intermediate housing is provided without public subsidy, we will still use a legal agreement to secure the long-term availability of the homes as affordable housing for eligible households.

## How will the Council consider financial viability?

### Policy background to financial viability appraisal

- 2.64 Our Core Strategy and Development Policies outline a number of Council aims and commitments relating to housing and mixed-use development that provide a framework for considering financial viability:
- housing is the priority land-use of the Local Development Framework
  - we will seek to **maximise the supply of additional housing**, and
  - we will seek the **maximum reasonable amount of affordable housing** on each site, taking into account specific circumstances including the financial viability of the development
  - to maximise overall housing supply, we will implement policies flexibly in response to economic uncertainty
  - to ensure that housing development is viable, we may consider varying the proportion and/ or type of market and affordable housing in a development, or consider off-site solutions where necessary (see the sub-section '**Can the affordable housing be provided off-site?**')
- 2.65 Where a development provides an addition of 200 sq m or more (gross) of non-residential floorspace in the Central London Area or the larger town centres, applicants will need to demonstrate that the development is providing an appropriate contribution to the supply of housing. Where a development has capacity for 10 or more additional dwellings, applicants will need to demonstrate that the development is providing the maximum reasonable amount of affordable housing. In most cases, the applicant will be required to submit a financial viability appraisal to justify the proportions of housing and affordable housing proposed. Where viability will be a key factor influencing the content of development and the extent of planning obligations the Council strongly encourages discussion of viability at the pre-application stage – see paragraphs 2.70 to 2.73 below.
- 2.66 There is a limited amount of government guidance on how development viability should be considered in decision-taking, primarily paragraph 173 of the NPPF and National Planning Practice Guidance (NPPG) ID10 paragraphs 1 to 4 and 16 to 24. Paragraph 2 indicates that there is no single approach to viability assessment, and there is a range of sector led guidance available. The GLA has developed a methodology for financial viability appraisal in London in the form of an annually reviewed Development Control/ Development Appraisal Toolkit, and this is accompanied by detailed Guidance Notes. As well as providing information on the operation of the Toolkit, the Guidance Notes provide more general advice on viability appraisal, and will be used to inform the Council's approach.

### What is financial viability appraisal?

- 2.67 The NPPF advises that a viable development should provide competitive returns to a willing landowner and a willing developer. A financial viability



appraisal can be used to explore whether the NPPF test of viability is met by assessing the value of a development, subtracting an assessment of development costs and a competitive developer return, and establishing the remaining land value available to provide a return to the landowner.

- 2.68 A financial viability appraisal is a balance sheet for the development which enables all scheme costs and revenues to be taken fully into account. The Council expects viability appraisals to generate a 'residual land value'. The residual land value is the sum available to fund land purchase once all scheme revenues and costs have been taken into account, including provision of affordable housing, other planning obligations and the return to the developer but excluding any price already paid for land acquisition. Figure 4 sets out some of the typical inputs used in viability appraisal.
- 2.69 Schemes are considered to be viable where the residual land value (taking into account the provision of affordable housing and other planning obligations) matches or exceeds a benchmark land value for the site. The benchmark land value represents the competitive price at which a reasonable land owner would be willing to sell their land for development. This value will depend on the particular circumstances of the site (eg whether the land is vacant or occupied, the condition and marketability of any buildings) and the options available. The Council will seek to agree the benchmark value with the applicant, with the assistance of advice from any appointed independent verifier.

**Figure 4. Typical inputs to financial viability appraisal**

<b>Cost inputs</b>	<b>Revenue inputs</b>
demolition and build costs (supported by an elemental cost plan)	sales values
professional fees	payment by a housing association for transfer of affordable housing
marketing fees	public subsidy for affordable housing (if not included above)
development finance costs	capitalised rents and yield (for non-residential floorspace and any proposed private rented residential floorspace)
land finance and holding costs (for the period covering land acquisition/ scheme preparation, planning application and development)	capitalised ground rental income
planning obligations other than affordable housing	
developer's return (non-residential floorspace and market housing)	
contractor's return (affordable housing)	

#### **Before a viability appraisal is submitted**

- 2.70 We strongly advise applicants to discuss the general parameters of individual viability appraisals with us before they are prepared. Early discussions can ensure that the appraisal provides the evidence needed

to assess the application and help to avoid delays after the application is submitted. Discussions should include the scope of viability appraisal, appropriate measures of land value, and the value of affordable housing. Submission of a draft viability appraisal may be appropriate.

- 2.71 Discussions may include whether viability appraisal of the proposed development should be accompanied by viability appraisal of alternative options such as:
- a development that meets our full expectations for housing and affordable housing contributions but is not viable
  - a development that partly meets our expectations for housing and affordable housing contributions
  - development for an alternative use that is lawful (having regard to the most recent lawful use and any applicable development orders), or has a current planning consent or has been agreed in principle as a site allocation in an adopted local plan or development plan document
  - an alternative development falling below the relevant Development Policy thresholds (200 sq m in DP1 and 1,000 sq m in DP3)
  - a development above the thresholds that makes no contribution to housing or affordable housing
  - an off-site contribution to housing or affordable housing
- 2.72 At the pre-application stage developers are also strongly encouraged to discuss provision of affordable housing with Registered Providers and the Council's Housing Commissioning and Partnerships Team to inform discussion of likely rents, suitable intermediate housing models and capital values – see also paragraphs 2.7 to 2.10.
- 2.73 As indicated in our Development Policies document, in certain circumstances the Council will expect applicants to fund an independent verification of the financial viability appraisal. Where independent verification is likely to be required we will seek to discuss this at the pre-application stage, and we will seek a commitment from prospective applicants to provide the necessary funding. Independent verification will be required where the proportion or mix of housing/ affordable housing sought falls considerably short of the contributions anticipated by our Development Policies document. This independent verification will either be:
- commissioned directly by the Council in negotiation with the applicant; or
  - commissioned by the applicant from an independent body subject the Council agreeing the body and the specifications in advance.

#### **What form should the viability appraisal take?**

- 2.74 Several viability appraisal models are available, and the Council does not insist that a particular model is used. However, the model must generate a residual land value on the basis of an agreed developer return (reflecting project scale, risk and loan requirements - see

paragraph 2.78), and must be capable of being fully interrogated by the Council and any appointed independent verifier. The Council encourages the use of standard viability software. Where a bespoke model is produced for a particular scheme, the Council will expect a fully working electronic copy to be made available so that assumptions can be tested and varied by the Council and any appointed independent verifier. The Council will respect any intellectual copyright existing in a bespoke viability appraisal model and seek to agree with the applicant any arrangements needed to ensure copyright is protected.

- 2.75 The GLA publishes an Affordable Housing Development Control Toolkit (also known as the Three Dragons Toolkit), and most financial viability appraisals submitted to the Council are prepared using the Toolkit. The GLA Toolkit was designed specifically to assist negotiations between planning officers and developers. The Toolkit is reviewed annually.
- 2.76 As indicated in Core Strategy paragraph 19.17, the Council will expect developers to provide information on viability through an "open-book" approach to the extent that costs and values are known at the time of the appraisal (see also paragraph 2.99 of this guidance). Some of the information required for viability appraisal may be regarded as commercially sensitive. The Council seeks to strike a balance between transparency in decision making and respect for commercial confidentiality. As part of the decision-making process the Council will therefore generally release a report of the independent verification of the financial viability appraisal. As a minimum, this report will include the intended percentage of developer return, the residual land value and the benchmark land value. Other figures in the report may be redacted if they are judged to be commercially sensitive.
- 2.77 If requested, the Council will endeavour to prevent release of any redacted sensitive information to third parties. However, subject to agreement with the applicant, release of sensitive information may be necessary in some circumstances, such as:
- to enable independent verification of the viability appraisal
  - where another body has a role in considering the application such as the Mayor and the GLA
  - where another body has a role in providing public subsidy for the development such as the Homes and Communities Agency, the Mayor and GLA
  - where the development is subject to a planning appeal.

#### **Inputs to financial viability appraisal**

- 2.78 Viability appraisal of development requires the input of a range of information including build costs, developer's return (profit) and sales values. We will expect the inputs to the viability appraisal to meet the following requirements:
- all inputs should be backed up by relevant evidence;

- build costs should be backed up by BCIS data, quotations for building works, an elemental cost plan and detailed specification of the intended fit out, accompanied by any plans and drawings that have been used in formulation of the cost plan but do not otherwise form part of the planning application;
- land finance and holding costs should generally relate to a period starting from when a proposed development scheme is prepared for pre-application discussion with the Council, and continuing until development has been completed – they should not generally include periods when the site has not been in the control of the applicant, periods when the site has been generating a net revenue for the applicant from an existing use, periods when the applicant is not actively seeking to bring the site forward for development (eg if a site is held as part of a land bank), or delays and costs arising from failed appeals;
- land finance and holding cost should relate to an agreed benchmark value for the site where this differs from the price paid, as the price paid may overestimate what can be achieved on the site (see paragraphs 2.82 to 2.89);
- residential sales values should be backed up by analysed evidence of values achieved for comparable new-build homes of similar specification that have recently been completed nearby;
- affordable housing values should be based on evidence including a breakdown of assumptions regarding rent, full market value, initial equity sale, any staircasing assumptions, and anticipated rent charged on unsold equity, accompanied by capitalisation yield and calculations used to derive capital values, and should be backed up wherever practical by offers from Registered Providers that have a nominations agreement with the Council (see also paragraph 2.72);
- the appraisal should express the developer return on the market housing and commercial elements of a scheme as a percentage of their gross development value (GDV) (the capital value of all revenue derived from these elements), although this may be accompanied by other measures of developer return, such as a percentage of costs or internal rate of return (IRR);
- a lower percentage return should be assumed on the affordable housing reflecting the low risk associated with sale to a Registered Provider – this may be incorporated at a blended rate with return on the market housing and commercial elements;
- the percentage developer return should reflect the scale and the risks associated with the project, and the current requirements of lenders – the applicant should justify the percentage selected; and
- cash flows should be modelled wherever appropriate.

2.79 Sensitivity testing should be carried out and submitted as part of each financial viability appraisal to show the potential for the residual value to change significantly as a consequence of relatively small changes in the inputs. In particular, the impact of changes in sales value and build costs

should be tested given the rapid increases in Camden house prices in recent years and emerging concerns about increases in build costs. Where a viability appraisal is independently verified, this should include verification of any sensitivity testing provided by the applicant, and provide additional sensitivity testing where the submitted appraisal is deficient.

- 2.80 The GLA's Development Control Toolkit provides benchmark values for some viability appraisal inputs. The guidance notes accompanying the GLA Development Control Toolkit are available free and provide more detailed information on which costs can appropriately be included in a viability appraisal. The Council will closely scrutinise development costs that exceed benchmark figures. Where independent verification of the appraisal is required, this should include confirmation that the inputs used are appropriate and are in accordance with relevant evidence.
- 2.81 The Council will not expect viability appraisal to include land value or acquisition cost as a fixed input. Valuations and acquisition costs generally reflect an assumption by the valuer about what can be developed on the site, including an assumption about the proportions of non-residential development, market housing and affordable housing that will be acceptable. If land value forms a fixed input to the appraisal, the process becomes circular, and the proportions of market housing and affordable housing that are viable will match the initial assumption of the valuer. The Council's preferred measures of land value are given in Figure 5.

**Figure 5. Preferred measures of Land Value**

<b>Residual Land Value</b>	The value of a development once all scheme costs and revenues have been taken into account, including build costs, professional fees, developer's returns, provision of affordable housing and S106 contributions, but excluding site acquisition cost.
<b>Existing Use Value (or EUV)</b>	The value of a site in its lawful use. The Council will require evidence of the EUV, for example the value of rents paid by an existing occupier, or values achieved for sale of comparable sites continuing in the same use. The EUV should take account of revenue from the lawful use and any refurbishment or development costs that would be incurred to re-commence lawful use of a vacated site.
<b>Existing Use Value plus a premium (or EUV plus)</b>	The value of a site in its lawful use, as described above, but with an additional premium added as an incentive to the landowner to make the site available for development. Any premium is usually expressed as a percentage of EUV. The scale of any premium will depend on the particular circumstances of the site (eg whether the land is vacant or occupied, the condition and marketability of any buildings and the options available).

- 2.82 The residual land value should be an output of the viability appraisal. As indicated in paragraph 2.69, the Council will consider the development to be viable if the residual land value exceeds a benchmark land value that

provides an incentive sufficient for the landowner to make the site available for development, taking into account the other options available. NPPG notes that these options may include the current use value or its value for a realistic alternative use that complies with planning policy

- 2.83 The Council's preferred measure of land value is existing use value, although other measures of land value may also be considered where they are appropriate. As stated in paragraph 2.69, we will seek to agree the benchmark value with the applicant, with the assistance of advice from any appointed independent verifier, and the starting point for these negotiations should be the Existing Use Value (EUUV). In some circumstances (eg where a property is vacant and significant expenditure would be required to return it to use) a residual land value at or around EUUV may be sufficient to incentivise development. In other circumstances (eg where a tenant has an unexpired lease and will need to relocate) a premium will be needed to be added to the Existing Use Value (EUUV plus) to incentivise release of the site.
- 2.84 The NPPG indicates that the incentive needed to bring forward the land will depend on the other options available. Consequently, the GLA Toolkit Guidance Notes state that the level of the premium will depend on site specific circumstances. Following from that, there is no normal or usual percentage to apply as a premium. The Guidance notes a number of appeals in which Existing Use Value has been accepted as the starting point for benchmark land value. In some appeal cases, no premium was held to be required, but in others reasonable premiums were held to be 10% or 20% of EUUV.
- 2.85 As a broad indication of how benchmark land values will be negotiated, the Council considers that reasonable premiums to apply in different circumstances could be as follows:
- 0-10% for old dilapidated buildings at the end of economic life;
  - up to 20% for a property in a viable existing use; and
  - up to 30% where development would need to fund relocation of an existing activity.
- 2.86 The NPPG also suggests that a realistic alternative use value (AUV) could be the basis for establishing a benchmark, and the Council may consider AUV alongside EUUV where appropriate. An AUV is unlikely to be appropriate where it rests on assumptions about what would be granted planning consent, and requires costs and sales values or rents to be established for a hypothetical scheme that has not been worked-up in sufficient detail to be implemented. In accordance with the GLA Toolkit Guidance Notes, the Council therefore considers that the use of AUV as the basis for a benchmark is most likely to be appropriate where there is an alternative lawful use (having regard to the most recent lawful use and any applicable development orders), or there is already a planning consent in place with potential to be implemented, or there is a site allocation in a local plan (such as the Camden Site Allocations



Document 2013) that gives sufficient detail for a realistic alternative proposal to be costed and valued.

- 2.87 The RICS guidance note "Financial Viability in Planning" suggests that the benchmark value should be based on the market value. There is no straightforward methodology for establishing market value, but the RICS guidance and NPPG both indicate the value should reflect development plan policies and all other planning considerations (notably planning obligations and any Community Infrastructure Levy charge). The RICS guidance also places a great deal of emphasis on the sale prices of comparable development sites, and notes that the 'risk-adjusted' value for a site without planning permission will be lower than the current market price for land with permission in place.
- 2.88 The RICS guidance notes that the actual price paid for a site may be used as evidence of market value where the site has recently been acquired/ disposed. However, the guidance warns that land values may change between the date of purchase and the viability appraisal, that developers may overpay due to an overestimate the acceptable development density or an underestimate the necessary planning obligations, and that site assembly may create a synergistic value greater than the components.
- 2.89 The Council considers that the market value and/ or the price paid for a site should be treated very cautiously in establishing a benchmark value as developers will compete for sites by assuming a reduced level of planning obligations – and particularly affordable housing (see also paragraph 2.81). However, the Council may consider market value and/ or price paid alongside Existing Market Value where market value and/ or price paid is supported by clear evidence in the form of a viability appraisal demonstrating that market value has been assessed on the basis of full compliance with planning policy. Transactional evidence may be relevant where:
- it relates to comparable sites nearby;
  - full and relevant details of the transactions are known and publically verifiable; and
  - there is evidence that the stated land values allow for viable development proposals that fully comply with planning policy.
- 2.90 The purpose of the premium referred to in Figure 5 and paragraphs 2.83 to 2.85 is to provide an incentive to a landowner to release the site for development (as a vendor). A separate incentive is provided to the developer (as a purchaser) to carry out the development through a return based on the development process itself, including the land purchase. Once a land transaction has taken place, it is not appropriate for the developer to apply a further premium to the market value or the price paid.
- 2.91 An alternative use value (AUV) cannot provide a meaningful benchmark value unless it represents a financially viable development that would be an option for a landowner to consider. To be financially viable, the

scheme would by definition provide competitive returns to a willing landowner and a willing developer. Consequently it should not be necessary for a further premium to be applied to an alternative use value.

### **Deferred affordable housing contributions**

- 2.92 London Plan policy 3.12 and Camden Development Policy DP3 indicate that the Council should seek the maximum reasonable amount of affordable housing in negotiations relating to residential and mixed-use sites. Many factors can have a significant impact on the maximum viable contribution to affordable housing, including changes to sales values, changes to build costs, changed specifications for materials and finishes and changes to the cost of finance. These factors can change quickly, and changes of a few percentage points can have a significant impact on the viability of a development. For example, house prices have risen sharply each year in Camden since the beginning of 2010. In the year to September 2010, prices had risen by 16.3%, with another 5.2% increase by September 2011, 7.2% higher by September 2012, 11.9% higher by September 2013 and 20.4% higher by September 2014 (source: Land Registry). Significant changes to viability are likely between the grant of planning permission and commencement, and between commencement and completion of the development.
- 2.93 The Council will therefore seek to negotiate deferred affordable housing contributions (similar to 'contingent obligations' referred to in London Plan policy 3.12) for developments where the provision of housing/ affordable housing falls significantly short of targets in Development Policies DP1 and DP3 due to financial viability, and there is a prospect of viability improving prior to completion. The deferred contribution is not a fixed amount, but is capped at the shortfall between the amount of additional housing/ affordable housing proposed and the Council's policy targets. The actual contribution is determined by a further viability appraisal undertaken on an open book basis at an agreed point after approval of the development but before the scheme is fully occupied.
- 2.94 A deferred contribution is only triggered if the further financial viability appraisal shows that there has been sufficient growth in viability. If the residual value of the development exceeds an agreed benchmark site value, then the excess is split equally between the developer and the Council unless the Council's share reaches the cap. Where the cap is reached, the contribution matches the shortfall between housing/ affordable housing provision and the Council's policy targets, and any further growth in the residual value relative to the benchmark site value will pass to the developer in full.
- 2.95 The Council has regard to the arrangements for 'contingent obligations' suggested by the London Plan and the Mayor's SPG. In the particular circumstances of Camden, the Council takes the following approach:
- re-appraisal of viability is expected after implementation when the development is substantially complete; and



- re-appraisal of viability and deferred affordable housing contributions are sought as part of planning obligations for developments that proceed as a single phase, as well as for phased schemes.

2.96 Particular Camden circumstances justifying our approach are set below:

- Given the pace of recent house price rises in Camden (20.4% in the year up to Sept 2014), a re-appraisal of viability immediately prior to commencement would significantly underestimate the ability of the development to contribute to affordable housing, as the sales values for market housing will have increased considerably by the time of completion.
- The pace of Camden house price rises means that even a short-term permissions (such as commencement within 12 months) and a requirement for review only if completion fails to take place within a modest period (such as 18 months from commencement) would allow a scheme to make a significantly smaller contribution to affordable housing than could be supported by the sales values finally achieved.
- Given the type and scale of housing development in Camden, most market and affordable housing is delivered by schemes that proceed as a single phase. The pace of Camden house price rises means that if they are not subject to viability re-appraisal, such schemes will make a significantly smaller contribution to affordable housing than could be supported by the sales values finally achieved.
- In a single phase scheme it is difficult to change the mix of market and affordable housing after implementation, so for single phase schemes in Camden deferred contributions will generally take the form of a payment-in-lieu.
- Many of Camden's development projects take advantage of the particular qualities of the borough to create unique homes at the higher end of the market – examples include developments in historic areas and developments creating views over Central London or Hampstead Heath. Given the uniqueness of such homes, it is exceedingly difficult to identify comparable developments or pertinent values achieved elsewhere, and consequently there is considerable uncertainty over the sales values likely to be achieved. Undertaking viability re-appraisal as close to the end of the development process as possible removes uncertainty as it allows recorded sales values to be used rather than predictions.
- Many of Camden's development projects (particularly those aimed at the higher end of the market) are designed to very high specifications in terms of materials, finishes and decor. High specifications give rise to high build costs that are difficult to confirm by reference to published sources such as BCIS, and are often engineered downwards during implementation. Undertaking viability re-appraisal as close to the end of the development process as possible removes uncertainty as it allows recorded build costs to be used rather than estimates.

- There are concerns that build costs in Camden could rise rapidly in coming years due to the unusually large number of construction projects taking place in Central London, and this uncertainty can also be removed by undertaking a later re-appraisal using recorded building costs.
- The Council's approach has been agreed as a planning obligation for more than ten developments in Camden. At the end of 2014, four of these had been completed, and had paid the full deferred affordable housing contribution, providing more than £13 million to fund additional affordable housing.

2.97 The Council will generally seek to secure the following arrangements for deferred affordable housing contributions in a S106 agreement:

- the deferred affordable housing contribution will take the form of a payment in-lieu to the Council's affordable housing fund
- the maximum contribution will be a payment-in-lieu based on the shortfall against housing/ affordable housing targets, calculated in accordance with CPG8 Planning Obligations
- full details of the agreed financial viability appraisal which guided determination of the application will be recorded
- the benchmark value for the site agreed in that appraisal (in accordance with paragraphs 2.69 and 2.82 to 2.91 of this guidance will be recorded
- at a specific point during the development process we will require a further financial viability appraisal produced on an open book basis – generally this will be either at practical completion, or when a specified number of homes in the development have been sold but there are sufficient unsold homes for sales proceeds to fund the deferred contribution
- the developer will fund an independent verification of the further financial viability appraisal (as indicated in paragraph 2.73 of this guidance)
- following independent verification, the agreed benchmark value will be subtracted from the residual value given in the further financial viability assessment – this calculation will give a negative value or zero (a deficit) or a positive value (a surplus)
- if the calculation shows a deficit, no deferred affordable housing contribution will be required
- if the calculation shows a surplus of less than twice the maximum contribution, then the deferred affordable housing contribution will be half of the surplus
- if the calculation shows a surplus that is twice the maximum contribution or more, then the deferred affordable housing contribution will be capped at the maximum
- following independent verification of the further financial viability appraisal, the Council will give formal notice of the sum required, and payment shall be made within 28 days

- 2.98 Different arrangements may be appropriate in some cases, depending on character and scale of the development. For example:
- Where a phased development is proposed, and improvements in viability could potentially provide additional affordable housing within the development, it may be appropriate to undertake further financial viability assessment earlier in the process.
  - In the case of large developments with a long site preparation and construction period, it may be appropriate to undertake more than one further financial viability assessment.
  - It may occasionally be necessary to vary the formula for calculating surplus or deficit to reflect the particular viability appraisal model being used, but the Council will expect to agree a formula that reflects the principle set out in paragraph 2.94.
  - An adapted mechanism will be necessary where a development will be managed for private rent by an institution.
  - Using a growth model to assess viability may be an appropriate alternative to a deferred contribution in some circumstances where changes in the values and costs are predictable and the growth model will maximise the affordable housing offer at the time an application is determined.
- 2.99 The further financial viability appraisal should comply with all the requirements for financial viability appraisal set out in paragraphs 2.64 to 2.91, including the modelling of cash flows. As indicated in Core Strategy paragraph 19.17, the Council will expect developers to provide information on viability through an "open-book" approach, however the Council will endeavour to prevent release of commercially sensitive information as set out in paragraphs 2.76 and 2.77 of this guidance. Where inputs such as build costs and sales values are based on estimates rather than agreed contracts and transactions on homes within the scheme, we will expect appraisals to use appropriate projections with reference to trends in the requisite segment of the housing market and to sources such as BCIS indices.

### **Can the market housing and affordable housing be provided off-site?**

- 2.100 Our Core Strategy and Development Policies promote mixed-use development and mixed and inclusive communities in line with the Government's NPPF. Development Policy DP1 indicates that housing contributions should normally be provided on site, while Development Policy DP3 indicates that affordable housing contributions should normally be made on site. Both policies do provide for off-site contributions, but only in a limited set of circumstances. The Council will only accept off-site contributions where provision cannot practically be achieved on-site in terms of meeting the criteria set out in the two Development Policies and accompanying paragraphs. The Council will only accept contributions in the form of payments-in-lieu in exceptional circumstances.

- 2.101 The Council will take the project management and implementation costs of off-site contributions into account and will expect there to be a neutral impact on Council expenditure and resources. Obligations may therefore need to include a payment to cover the additional costs of delivery of off-site contributions where such costs fall to the Council.
- 2.102 When considering the acceptability of off-site contributions and payments-in-lieu, we will have close regard to all relevant criteria in Development Policies DP1 and DP3 alongside accompanying paragraphs 1.15 to 1.24 and 3.13 to 3.30. We will also have regard to Core Strategy CS9 and the Council's support for residential communities in Central London, and ensure that off-site contributions do not undermine the benefits of mixed-use areas (such as those identified in paragraph 1.7 of our Development Policies document) or conflict with the creation of mixed and inclusive communities. These considerations apply to all sites regardless of size.
- 2.103 The Council will particularly expect contributions to be made on-site where the development is larger. Where mixed-use policy DP1 applies, we will expect on-site housing contributions where 1,000 sq m (gross) or more of additional floorspace is proposed. Where affordable housing policy DP3 applies, we will expect on-site affordable housing contributions where 3,500 sq m (gross) or more of additional floorspace is proposed. It may not always be practical to include affordable housing within a market development (for example in smaller developments), however prior to considering an off-site contribution the Council will expect developers of all schemes to demonstrate that, on-site provision is not practical having regard to all the considerations referred to in paragraph 2.102 of this guidance.
- 2.104 The NPPF indicates that affordable housing provision should be made on-site unless an off-site solution is robustly justified. To meet this objective, the Council expects all options for on-site affordable housing to be fully explored, even where small developments are involved. Before they submit an application, we will expect applicants to fully consider different arrangements of the site and the scheme to secure the best possible prospect of achieving an on-site affordable housing contribution. In particular, applicants will be expected to show that the following options cannot practically deliver an on-site contribution before off-site solutions will be considered:
- where the site characteristics provide potential for a variety of scheme design and layouts, designing the scheme to provide a separate entrance (or entrances) and stair/ lift core(s) for affordable homes
  - where it is only possible to provide a single entrance lobby and stair/ lift core, designing the communal spaces to ensure that service and management charges are sufficiently low for affordable housing occupiers and providers (see also paragraph 2.42 of this guidance)
  - approaching a range of housing associations and other providers (including the Council) to seek bids for acquisition of on-site affordable homes

- offering flexibility to housing associations and other providers to deliver different types of affordable housing (eg intermediate housing)
- where providing the full affordable housing contribution on-site is not financially viable, providing a reduced affordable housing floorspace on-site
- where an on-site solution is not financially viable, seeking a top-up payment from the Council's affordable housing fund.

### **Making the contribution on another site**

2.105 The following terms are used in this guidance to shorten explanations of off-site arrangements:

- **application site** – the site of the proposed development that generates a policy requirement for housing under policy DP1 or affordable housing under policy DP3;
- **delivery site(s)** – one or more proposed development sites elsewhere intended to meet policy requirements off-site.

2.106 The paragraphs accompanying policies DP1 and DP3 indicate that where off-site provision is made, the overall percentage of housing/affordable housing and non-residential uses will be considered across the aggregate floorspace on all related development sites. In other words, the percentage requirement for an off-site contribution is calculated as a proportion of the floorspace at the application site and the floorspace at the delivery site(s) added together, rather than the application site alone. In the case of policy DP1, where there is a single target of 50% for negotiation of on-site contributions, off-site contributions should normally involve matching the non-residential floorspace increase at the application site with an equivalent increase in residential floorspace at the delivery site. In the case of policy DP3, where the sliding scale applies a formula is used to calculate off-site contributions. Figure 6 and Figure 7 below show how the off-site policy requirement can be calculated.

2.107 Calculating the percentage across floorspace on all related development sites helps to ensure that the policies do not provide an unintended incentive towards off-site contributions. Off-site contributions allow more non-residential floorspace (or market housing floorspace) to be developed at the application site. Considering the sites together ensures that this gain in non-residential floorspace (or market housing) also leads to a proportionate increase in residential floorspace (or affordable housing floorspace) at the delivery site.

2.108 Calculating the proportion across all related development sites also enables land swaps. A land swap enables a developer to offset additional non-residential floorspace (or market housing) at the application site by reducing non-residential floorspace (or market housing) elsewhere.

- Under DP1, redeveloping/ converting non-residential floorspace for off-site housing can be used to offset the addition of non-residential floorspace at the application site;
- Under DP3, redeveloping/ converting market housing floorspace for off-site affordable housing can be used to offset the addition of market housing at application site.

2.109 A calculation of this type under policy DP1 is included in paragraph 1.16 of our Development Policies document and as Example 2 in Figure 6.

Figure 6. Calculating off-site contributions under policy DP1

Additional floorspace proposed	Generally under 1,000 sq m for off-site housing contribution to be considered
On-site housing target	50% of additional floorspace on the application site
Off-site housing target	50% of total additional floorspace (application site plus delivery site)
Housing floorspace required off-site	Should match total addition to non-residential floorspace across the related sites

**Example 1**

Additional floorspace proposed (application site)	= 800 sq m
Housing floorspace required if on-site (application site)	= 400 sq m
Remaining non-residential floorspace addition on-site (application site)	= 400 sq m
Non-residential floorspace addition if principle of off-site housing is agreed (delivery site, with no conversion of non-residential floorspace to housing elsewhere)	= 800 sq m
Housing floorspace required off-site (with no conversion of non-residential floorspace)	= 800 sq m
Ratio of non-residential floorspace to housing floorspace off-site	800:800 = 50%:50%

**Example 2**

Non-residential addition on-site (application site, where principle of off-site housing is agreed)	= 800 sq m
Housing floorspace required off-site (delivery site, with no conversion of non-residential floorspace)	= 800 sq m
Non-residential loss off-site through conversion to housing (delivery site)	= minus 400 sq m through conversion to housing
Net non-residential addition (all sites)	= 400 sq m
Net housing floorspace required off-site (by conversion of non-residential floorspace)	= 400 sq m
Ratio of non-residential floorspace to housing floorspace off-site	400:400 = 50%:50%



**Figure 7. Calculating off-site contributions under policy DP3**

Additional market housing floorspace proposed - 'a'	Generally under 3,500 sq m for off-site affordable housing contribution to be considered
On-site affordable housing target -'b' (percentage)	Varies according to the sliding scale for sites with capacity for less than 50 homes (NB the sliding scale does not apply where the primary application site also includes 1,000 sq m or more of additional non-residential floorspace – see paragraph 2.35 of this guidance).
Off-site affordable housing target (proportion)	$= b / (100 - b)$
Affordable housing required off-site (secondary delivery site) - 'c' (sq m)	$c = a \times b / (100 - b)$

**Example**

Additional market housing floorspace proposed	= 2,500 sq m
Target for on-site affordable housing	= 25% x 2,500 sq m = 625 sq m
Off-site affordable housing target	= 25 / (100 – 25) = 33.3%
Target for off-site affordable housing contribution	= 2,500 sq m x 33.3% = 833.3 sq m
Ratio of market housing floorspace to affordable housing floorspace off-site	2,500:833.3 = 75%:25%

- 2.110 Development Policies DP1 and DP3 indicate that we will take into account the economics and financial viability of development when considering off-site contributions as well as on-site contributions. The arrangements in paragraphs 2.64 to 2.91 of this guidance will apply, and applicants will need to submit financial viability appraisals to demonstrate that the application and delivery sites are providing the maximum reasonable contributions to housing (under DP1) or affordable housing (under DP3). Applicants will be required to fund an independent verification of the financial viability appraisal where the proportion or mix of housing/ affordable housing sought falls considerably short of the contributions anticipated by our Development Policies document and this guidance.
- 2.111 As indicated in paragraph 2.100 of this guidance, contributions to housing/ affordable housing should normally be made on site. Mechanisms guiding the delivery of housing and affordable housing should not create a financial incentive for the developer to make off-site contributions. Where the level of off-site contribution is below the level anticipated by our Development Policies document and this guidance,



we will seek to ensure the additional value created by the development is broadly the same with an off-site contribution as it would be with an on-site contribution. In addition to the financial viability appraisal requirements of paragraphs 2.64 to 2.91, the Council may therefore seek a comparison between the financial viability of on-site and off-site solutions (taking into account the existing use value and residual development value of the application site and delivery site).

### **Residential land-use credits and affordable housing credits**

- 2.112 Within Camden's Central London area there are a number of property investors and developers that own a significant number of sites. We may negotiate arrangements with such landowners to take advantage of commercial development opportunities, market housing opportunities and affordable housing opportunities on separate sites provided this does not compromise our objectives for mixed-use and mixed and balanced communities. In particular, owners of several sites may be able to bring forward developments of housing or affordable housing in advance of any policy requirement from Development Policies DP1 or DP3. In effect, the 'delivery site(s)' is/ are developed before the 'application site' has been identified (see paragraph 2.105 of this guidance for an explanation of these terms). The Council may agree to 'bank' this floorspace in the form of credits that can be accepted against the policy requirements from future development. When an 'application site' generates a housing/ affordable housing requirement, the Council will have discretion to agree to use of the 'banked' credits to offset part or all of the policy requirement.
- 2.113 The credits mechanism has potential to deliver additional housing and affordable housing earlier in the financial cycle by creating incentives for multiple site-owners to:
- seek opportunities for housing/ affordable housing development in advance during periods when commercial markets are poor rather than seeking to negotiate payments in lieu when commercial development prospects improve;
  - bring forward housing/ affordable housing development that they would otherwise hold back until commercial development prospects improve;
  - take up opportunities to convert lower value commercial properties to housing when leases expire;
  - provide affordable housing when the market for private housing would be unable to support it.
- 2.114 The mechanism can also help developers to deliver commercial floorspace or market housing more quickly when demand is strongest.
- 2.115 There are two types of credits that could be considered in this way:
- **residential land-use credits** – created where housing is provided but is not required by policy – these can be used where market

housing is needed to offset additional commercial development under Development Policy DP1; and

- **affordable housing credits** – created where affordable housing is provided in place of market housing but is not required by policy – these can be used where affordable housing is needed to offset additional market housing development under Development Policy DP3.

- 2.116 The two types of credit could potentially be created by a single development at the same time if affordable housing is provided but there is no policy requirement for any type of housing. However, each type of credit can only be used once and only against a single policy requirement.
- 2.117 Residential land-use credits and affordable housing credits are types of off-site contributions, and will be governed by the policy considerations set out in paragraph 2.100 to 2.104 of this guidance. Paragraphs 1.15 and 3.15 of our Development Policies document indicate that off-site contributions should be made in the same area as the application site. In the case of residential land-use and affordable housing credits, the Council will only agree to bank credits from development in the Central London area, and will only allow credits to be used to offset requirements on another site in Central London. Credits should be used in reasonable proximity to the delivery site. In the Central London context, in most cases the Council will require credits to be used within 500 metres of the delivery site, taking into account any demonstrable benefits from allowing provision on a more distant site. The Council will not agree to credit arrangements that would erode the mixed-use character of Central London or add to concentrations of affordable housing at the fringes of Central London.
- 2.118 The Council will use two mechanisms to ensure that residential land-use credits and affordable housing credits serve to increase the overall delivery of housing or affordable housing.
- The Council will not agree to the formation of credits from development of market housing or affordable housing where this development would clearly have arisen regardless of any future DP1/DP3 requirements on other sites.
  - Where we agree to the use of credits to off-set a housing requirement from additional non-residential space or an affordable housing requirement from additional market housing, the credit required will be equivalent in floorspace terms to the overall increase in non-residential floorspace – or market housing floorspace – across the application site and the delivery site(s) together, in accordance with the considerations set out in paragraphs 2.105 to 2.109 of this guidance.
- 2.119 The Council may therefore agree to acknowledge development in Central London as creating residential land-use credits and/ or affordable housing credits subject to the following constraints:

- the creation of credits should form part of the resolution to grant permission for housing/ affordable housing on the 'delivery site'
- the Council will only agree the formation of credits where this will serve to increase the overall delivery of housing or affordable housing
- the scale and type of credits created should be agreed at the time of the resolution on the 'delivery site' (floorspace of residential land-use credits and floorspace of affordable housing credits)
- at the request of the credit-holder, the Council may consider credits agreed by resolution as a material consideration offsetting policy requirements at a future 'application site' in Central London
- the Council will only accept the existence of credits as a material consideration where an off-site contribution would comply with Development Policies DP1, DP3 and all other relevant policies and material considerations
- the Council will only accept the existence of credits as a material consideration for sites in Central London
- the Council will require the credits to be used in reasonable proximity to the 'delivery site', and in most cases within 500 metres
- the Council will consider the scale of credits required to off-set a policy requirement in terms of the overall increase in non-residential floorspace increase or market housing floorspace across the application and delivery site(s) together
- the existence of credits will not place any obligation on the Council in terms of its decision-making in relation to a future 'application site'
- the period over which the credit can be applied to a future 'application site' should also be agreed at the time of the resolution on the 'delivery site', usually until 10 years from the date of the resolution
- the credits will generally be specific to an applicant, developer or landowner, and will not be regarded as transferable
- the Council will seek a S106 legal agreement to ensure that where development at an application site is justified by the existence of credits, the development cannot be occupied until the housing/ affordable housing that creates the credits is completed and available for occupation
- the creation and 'cashing-in' of credits and the implementation of development at 'delivery sites' and 'application sites' will be closely monitored and regularly reported.

### **Payments in lieu**

- 2.120 Development Policies DP1 and DP3 only allow payments-in-lieu of housing/ affordable housing in exceptional circumstances, and these will be governed by the policy considerations set out in paragraph 2.100 to 2.104 of this guidance. Payments-in-lieu may be accepted where the required housing/ affordable housing cannot practically be achieved on-site and the applicant demonstrates that no alternative site is available in the area (see paragraphs 1.17 and 3.15 of the Development Policies

document). Payments-in-lieu of housing will be paid into the Council's affordable housing fund whether they arise under policy DP1 or policy DP3, as the Council does not hold funds for investment in market housing.

- 2.121 Where development proposals involve a shortfall of the housing or affordable housing required under Policies DP1 or DP3, the Council may negotiate a payment in lieu of the unmet requirement.
- 2.122 Where the Council considers that a payment-in-lieu of housing/ affordable housing is appropriate under policies DP1 or DP3, we will calculate the payment-in-lieu in accordance with CPG on **Planning Obligations**. The calculation is based on viability research commissioned by the Council to set a standard affordable housing payment-in-lieu. In negotiating a payment-in-lieu, the Council will also take into account the economics and financial viability of the particular development. Where a payment-in-lieu at the level anticipated by CPG on Planning Obligations would not be viable, the arrangements in paragraphs 2.64 to 2.91 of this guidance will apply.
- 2.123 As indicated in paragraph 2.111, financial appraisal mechanisms should not create an incentive towards off-site solutions. In addition to the financial viability appraisal requirements of paragraphs 2.64 to 2.91, the Council may therefore seek financial viability appraisal of the development with and without an on-site contribution, and will seek to ensure that any payment-in-lieu is broadly equivalent to the increase in development value where no contribution is made on-site. The Council may also consider the cost of developing the required percentage of housing/ affordable housing off-site.

### **Background**

- The National Planning Policy Framework (NPPF) provides a definition of affordable housing and sets the framework which local councils use to secure affordable housing from market housing development.
- The London Plan and the Mayor's Housing SPG give guidance on the income groups who are eligible for intermediate housing, and also cap the cost of intermediate housing on the basis of income.
- The London Plan Annual Monitoring Report is used to review annually which income groups are eligible for intermediate housing.

## **Securing works / conditions / S106**

- 2.124 Provision of housing required under Development Policy DP1 will generally be secured by a planning obligation under S106 of the Town and Country Planning Act 1990. The precise terms of the S106 agreement will vary between developments to reflect the nature and financial viability of the development. In most cases S106 terms will include:
- identifying all homes in the development
  - preventing the occupation of non-residential floorspace until the housing is completed and available for occupation, including non-residential development justified by a residential land-use credit agreed in association with a housing development on another site.
- 2.125 Provision of affordable housing required under Development Policy DP3 will always be secured through a S106 planning obligation. The precise terms of the S106 agreement will vary between developments to reflect the nature and financial viability of the development. In most cases, S106 terms will include:
- identifying all affordable homes in the development
  - specifying which homes will be social rented housing, which homes will be affordable rented housing and which homes will be intermediate housing
  - defining social rented housing in terms of the Government's national rent regime
  - defining intermediate housing in terms of the income groups and the ratio of housing cost to income contained in the London Plan, the Mayor's Housing SPG and the London Plan Annual Monitoring Report
  - defining affordable rented housing in terms of relevant guidance including the NPPF, the London Plan, the Mayor's Housing SPG, and in relation to Local Housing Allowance caps and lower quartile market rents available locally and across the borough
  - identifying social rented, affordable rented and intermediate wheelchair homes
  - arrangements for the development, fitting out and transfer of the affordable housing to an affordable housing provider
  - arrangements for the fitting out/ adaptation of wheelchair homes for occupation by a household containing one or more people who are wheelchair users
  - preventing the occupation of some or all market housing until the affordable housing has been completed, fitted out and transferred to an affordable housing provider - including market housing justified by an affordable housing credit agreed in association with affordable housing development on another site

- securing availability of the affordable housing to future eligible occupiers, or securing recycling of public subsidy if the affordable housing is sold.

2.126 Other S106 terms that may be required in connection with DP1 and DP3 include:

- where off-site delivery will be at a known site or sites, linking the developments together
- where a site is not identified for delivery at the outset, specifying the floorspace, nature of housing required and general location
- where a site is not identified for delivery at the outset, arrangements for identifying one or more delivery sites prior to the implementation of the development
- making a payment-in-lieu of housing/ affordable housing prior to implementation or occupation of the development
- making a payment to cover the additional costs of delivery of off-site contributions where such costs fall to the Council
- arrangements for a deferred affordable housing contribution if provision of housing/ affordable housing falls significantly short of targets due to financial viability, and there is a prospect of viability improving prior to completion
- specifying the type of intermediate housing – e.g. key-worker, intermediate rent, shared ownership
- controls on the rents of intermediate rented housing and affordable rented housing
- limiting the minimum percentage share available in shared ownership homes
- limiting the rent charged on the unsold proportion of shared ownership homes.

## Resources / contacts

### Contacts

Guidance on interpretation of the LDF Core Strategy and Development Policies document	Strategic Planning and Implementation Team – 020 7974 5964 – or email planningpolicy@camden.gov.uk
Guidance on our affordable housing priorities and our housing association partners	Camden Council Housing Commissioning and Partnerships Team – 020 7974 2743
Guidance on the pre-planning application advice service	<a href="http://www.camden.gov.uk/ppaa">www.camden.gov.uk/ppaa</a> Camden Council Duty Planner Service – Contact Camden - 020 7974 4444

### Resources

Affordable Housing Development Control Toolkit and Guidance Notes, GLA 2014	<a href="http://www.london.gov.uk/who-runs-london/mayor/publications/planning/affordable-housing-development-control-toolkit">www.london.gov.uk/who-runs-london/mayor/publications/planning/affordable-housing-development-control-toolkit</a> (see Mayor's Priorities - Planning – Publications – February 2014)
Camden Housing Needs Survey Update 2008	<a href="http://www.camden.gov.uk/ldf">www.camden.gov.uk/ldf</a> (see Evidence and Monitoring pages)
Camden Affordable Rent Study 2011	<a href="http://www.camden.gov.uk/housing">www.camden.gov.uk/housing</a> (see Housing Policies and Strategies – Social Housing Reform)
Housing Supplementary Planning Guidance, Mayor of London, November 2012	<a href="http://www.london.gov.uk/who-runs-london/mayor/publications/planning/housing-supplementary-planning-guidance">http://www.london.gov.uk/who-runs-london/mayor/publications/planning/housing-supplementary-planning-guidance</a> (see Mayor's Priorities - Planning – Supplementary Planning Guidance)
National Planning Policy Framework (NPPF), CLG 2012	<a href="https://www.gov.uk/government/publications/national-planning-policy-framework--2">https://www.gov.uk/government/publications/national-planning-policy-framework--2</a> (see GOV.UK - Publications – Policy Papers – Planning and Building - Department of Communities and Local Government – March 2012)
National Planning Practice Guidance, CLG 2013 and subsequent	<a href="http://planningguidance.planningportal.gov.uk/">http://planningguidance.planningportal.gov.uk/</a>



## 4 Residential development standards

### KEY MESSAGE

Development should provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms.

- 4.1 This guidance relates to Camden Core Strategy policies CS5 – *Managing the impact of growth and development*, CS6 – *Providing quality homes* and CS14 – *Promoting high quality places and conserving our heritage* plus Camden Development Policy DP26 – *Managing the impact of developers on occupiers and neighbours*. In addition, homes of all tenures should meet lifetime homes standards in accordance with Development Policy DP6 and the CPG on Lifetime homes and wheelchair housing.

### TENURE

Describes the ownership of a home and the relationship between a household and their home i.e. owner-occupied, shared ownership, private rented, social rented, etc.

- 4.2 The '**Access for all**' section in CPG6 **Amenity** sets out the Council's approach to providing buildings and spaces that are accessible to everyone. Reference should also be made to the **Design Excellence** section of CPG1 **Design** and to other sections of CPG2 **Housing**.
- 4.3 The space standards in this guide are minimum requirements and should not be taken as maxima. Housing which exceeds the minimum standards will always be encouraged.
- 4.4 This guidance applies to planning applications involving the provision of residential accommodation and residential conversions, extensions and change of use. In cases involving residential conversions of listed buildings a sensitive and imaginative approach to achieving these standards may need to be taken.

### MAYOR'S HOUSING SPG

The Mayor has prepared a draft replacement housing SPG. The Mayor's draft SPG supports the emerging replacement London Plan, which makes provision for residential standards to be applied across all tenures of development. Both the draft replacement London Plan and the draft replacement Housing SPG are expected to be adopted in autumn 2011.

In addition, we anticipate that housing with public subsidy in London will have to comply with the Mayor's London Housing Design Guide from April 2011 (published in interim form in August 2010). The Mayor is seeking to adopt the London Housing Design Guide standards for all housing tenures in London through the London Plan.

- 4.5 Camden's Core Strategy indicates that we will seek a range of self-contained homes to meet identified dwelling size priorities. These

priorities are set out in detail in our Development Policies document – see particularly policy DP5 and paragraph 5.4.

## **Guidance on residential development standards**

### **General principles**

- 4.6 All residential developments in the Borough are required to be designed and built to create high quality homes:
- All newly created dwellings for households of 2 or more people should be self-contained (applies to homes in Use Class C3, but does not apply to care homes for elderly or vulnerable people, student housing, bedsits, or other Houses in Multiple Occupation (HMOs)).
  - Each dwelling should have its own secure private entrance which leads either directly from the street or off a common entrance hall – the number of entrances off one corridor should be limited.

#### **SELF-CONTAINED**

Accommodation with its own kitchen, bathroom and toilet for the sole use of occupants behind a separate front door.

#### **HOUSES IN MULTIPLE OCCUPATION (HMO)**

HMOs are flats or houses permanently occupied by more than one household, where each household does not have exclusive access to all cooking, washing and toilet facilities behind a locked front door.

### **Layout**

- 4.7 There should usually be a permanent partition between eating and sleeping areas. Kitchens and living rooms that are permanently separated are preferable. However, combined kitchen and living areas are considered acceptable as long as the floor area is sufficient to allow for the greater range of activities that will take place in them.

### **Rooms**

- All rooms should be able to function for the purpose for the purpose for which they are intended.
- They should have an adequate size, shape, door arrangement, height, insulation for noise and vibration and natural lighting and ventilation.
- They should lead off a hallway or lobby so that it is possible to access any habitable room without passing through another habitable room, although Building Regulations Part B - Fire Safety allow inner rooms provided they meet certain criteria.

#### **HABITABLE ROOM**

A room that is capable of being used as primary living space. Generally consists of living rooms, dining rooms, large kitchen/diners and large bedrooms

### **Flexible construction/layout**

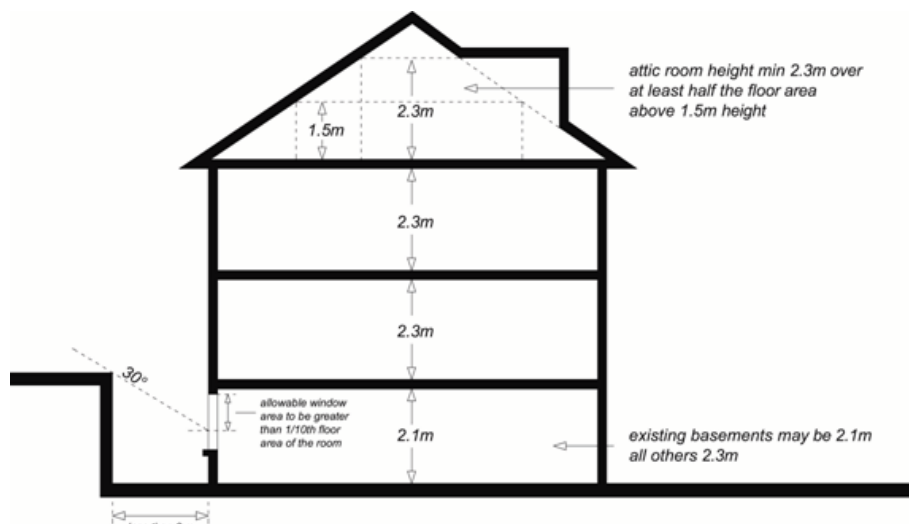
- 4.8 In addition, wherever practical dwellings should be designed to enable greater flexibility in construction design so that they can be capable of some form of extension or adaptation in order to accommodate changing lifestyles and family needs or other social use.
- 4.9 For example design features that could be considered, include:
- open plan layouts or generic layouts/floor plans;
  - avoiding load bearing internal walls;
  - easily accessible services and utilities e.g. a central accessible core or accessible floor/ceiling cavity.
  - For further examples see: By design urban design in the planning system: towards better practice: [www.communities.gov.uk/publications/planningandbuilding/bydesignurban](http://www.communities.gov.uk/publications/planningandbuilding/bydesignurban) by DETR (2000) (accessed April 2011).

### **Internal space standards**

#### **Ceiling heights**

- 4.10 All habitable rooms should have minimum headroom of 2.3 metres. The exceptions are habitable rooms in existing basements, which may have 2.1 metres headroom, and habitable rooms in attics which should have a minimum room height of 2.3 metres over at least half of the floor area (not including any floor space where the ceiling height is less than 1.5 metres). See Figure 9.
- 4.11 Any floor area where the ceiling height is less than 1.5 metres will not count towards the habitable floorspace. We will also consider the suitability of floor to ceiling heights in relation to context of building and how size of windows and floor to ceiling heights impact design. Please also refer to CPG1 **Design** (see particularly the sections on '**Design Excellence**' and '**Roofs, terraces and balconies**') and CPG4 **Basements**.

**Figure 9. Ceiling heights and natural light for basements**



### Space and room sizes

- 4.12 Although planning cannot control the precise internal layout of individual proposals, it is important to ensure that dwellings are capable of providing a suitable layout and adequate room sizes that reflect the use and type of accommodation. The Council will be flexible in the application of these guidelines in order to respond to site-specific circumstances.
- 4.13 The Council has set minimum space standards to ensure rooms are large enough to take on varying uses. Space standards relate to the occupancy of a home rather than number of bedrooms and the developer will be required to state the number of occupants each dwelling has been designed to accommodate. The occupancy of housing at the time of its first occupation is not a reliable prediction of future levels of occupancy over the lifetime of a home. The only sensible assessment of occupancy is therefore the designed level of occupancy.
- 4.14 The overall internal floorspace in new self-contained dwellings (excluding communal lobbies and staircases) should normally meet or exceed the minimum standards set out in the following table.

Number of Persons	1	2	3	4	5	6
Minimum floorspace (sq m)	32	48	61	75	84	93

- 4.15 For dwellings designed for more than 6 people, allow approximately 10sq m. per extra person. In order to successfully to provide ease of movement and storage space for wheelchair users, the council will normally wheelchair housing dwellings to exceed the minimum floorspace standards. Please also refer to the section on 'Lifetime homes and wheelchair housing' in this CPG document.
- 4.16 The Council will expect bedrooms to meet or exceed the following minimum sizes:

- First and double bedrooms - 11.0 sq m
- Single bedrooms - 6.5 sq m

4.17 The Council's Private Sector Housing Team has produced specific minimum standards for Houses in Multiple Occupation (HMO's) and hostels which includes guidance on room sizes and facilities. Schemes for bedsits, shared houses and flats and hostels should be prepared with reference to these standards. These can be viewed on Camden's website [www.camden.gov.uk/housing](http://www.camden.gov.uk/housing) (see Private Sector Housing/ Private Housing Standards pages).

4.18 Self-contained homes providing a floorspace below the minimum standards may be considered in exceptional circumstances, for example to reduce the cost of Intermediate Housing to the occupier, however their acceptability will depend on other aspects of the development proposed. Sympathetic consideration may be given where a proposal meets a number of the criteria below:

- Dwellings are targeted at, and affordable to, groups identified by the Borough as being in need.
- External amenity space is provided
- A limited number of dwellings are accessed from each entry point and corridor (ideally 8 or fewer, unless controlled by a concierge or a CCTV system allowing clear facial identification).
- Security controlled access is provided where a larger number of units are accessed from one point.
- Where cluster flats are provided in response to a demonstrable demand (i.e. there are good indications that properties will not be hard to let to the targeted tenants), a limited number of flats are clustered into each dwelling (ideally 8 or fewer) (cluster flats are bedsits with a communal kitchen/eating area).
- A laundrette or communal laundry is provided (sufficient to cater for forecast resident demand at periods of peak usage) where individual dwellings cannot accommodate a washing machine - subject to keeping service and management charges at an acceptable level. The Council will take into account any existing commercial laundrettes that would be convenient for residents.

### **Storage and utility spaces**

4.19 All accommodation should have sufficient internal storage space to meet the likely needs and requirements of potential occupiers. Dwelling layouts should make suitable provision:

- for washing machines and drying clothes;
- a storage cupboard with a minimum floor area of 0.8 sq m should be provided for 1- and 2-person dwellings;
- for each additional occupant, a minimum of 0.15 sq m storage area should be provided;

- storage for bicycles and prams should also be provided, located at the ground or lowest level of the dwelling, preferably accessed from a hall or lobby area;
- for waste and recycling bins, reference should also be made to the section '**Waste and Recycling Storage**' in CPG1 **Design**.

### **Daylight, sunlight and privacy**

- 4.20 Residential developments should maximise sunlight and daylight, both within the new development and to neighbouring properties whilst minimising overshadowing or blocking of light to adjoining properties. Maximising sunlight and daylight also helps to make a building energy efficient by reducing the need for electric light and meeting some of the heating requirements through solar gain. The orientation of buildings can maximise passive solar gain to keep buildings warm in winter and cool in summer.

#### **PASSIVE SOLAR GAIN**

Design to optimise the amount of the sun's energy that heats and lights a building naturally.

- 4.21 All habitable rooms should have access to natural daylight. Windows in rooms should be designed to take advantage of natural sunlight, safety and security, visual interest and ventilation. Developments should meet site layout requirements set out in the Building Research Establishment (BRE) Site Layout for Daylight and Sunlight – A Guide to Good Practice (1991).
- 4.22 Overall the internal layout design should seek to ensure the main living room and other frequently used rooms are on the south side and rooms that benefit less from sunlight (bathrooms, utility rooms) on the north side. Kitchens are better positioned on the north side to avoid excessive heat gain.

#### **Minimum requirements:**

- 4.23 In particular the following minimum requirements need to be met to avoid the unacceptable loss of daylight and/or sunlight resulting from a development, including new build, extensions and conversions. For example:
- Each dwelling in a development should have at least one habitable room with a window facing within 30 degrees of south in order to make the most of solar gain through passive solar energy;
  - Rooms on south facing walls should always have windows, south facing windows and walls should be designed, sized and/or shaded in summer to prevent overheating. Appropriate shading might be achieved by:
    - mature deciduous trees located so as to shade the structure
    - eaves or overhangs that protect from sun that is high in the sky only

- external shutters or blinds that can be operated by the occupant;
- External shading should be provided for western facing windows and outdoor spaces to minimise overheating in summer. Deciduous trees provide the best shade for this purpose;
- Windows on north facing walls should be sized to prevent heat loss but allow sufficient daylight;
- All habitable rooms, including basements, must have an external window with an area of at least 1/10 of the floor area of the room;
- An area of 1/20 of the floor area of the room must be able to be opened to provide natural ventilation;
- Windows to atriums will be acceptable as external windows in exceptional circumstances only;
- Passive ventilation should be favoured where possible and mechanically assisted ventilation should be silent in operation.

4.24 For further guidance reference should be made to 'The Code for Sustainable Homes' which provides technical guidance on designing for adequate internal daylighting and requires daylight levels to be calculated using the BRE assessment method. Reference should also be made to CPG3 **Sustainability**.

### **Privacy and security**

- 4.25 House and flat developments should be arranged to safeguard the amenity and privacy of occupiers and neighbours.
- New development, extensions, alterations and conversions should not subject neighbours to unacceptable noise disturbance, overlooking or loss of security.
  - Developments should seek to improve community safety and crime prevention. This may include:
    - designing developments so that open spaces are overlooked by windows, avoiding dark secluded areas and buildings face onto streets.
    - obtaining Secured by Design certification – please refer to the '**Designing safer environments**' section of CPG1 **Design**.

### **Basements**

- 4.26 All rooms within a basement should be able to function for the purpose of which they are intended. They should have an adequate size, shape, door arrangement, and height, insulation from noise and vibration, and access to natural lighting, ventilation and privacy (similar to the standards set out above). Four key considerations are set out here.
- Natural light - to ensure that adequate natural light is provided to habitable rooms, walls or structures (including the sides of lightwells) should not obstruct windows by being closer than 3 metres. Where



this is not achievable, a sufficient proportion of the glazing should be above the point on the window(s) from which a line can be drawn at 30° above the horizontal to pass the top of obstruction. The glazed area above the point should total not less than 10% of the floor area of the room. See Figure 9.

- Forecourt parking – nearby vehicles can also restrict light to basements, and consideration should be given to any further obstruction from vehicles parked on the forecourt that may present a barrier to light serving basement windows.
- Means of escape - basements should be provided with either a door or suitably sized window allowing access to a place of safety that gives access to the external ground level, or with a protected escape route within the building leading to a final exit at ground level.
- Lightwells - stairs, ladders and gates in any railings around a lightwell that are required for means of escape should be designed to be as discreet as possible and should have regard to the character of the building and surrounding area.

4.27 Further detailed guidance on basements is contained within CPG4 **Basements**.

### **Noise and soundproofing**

4.28 The layout and placement of rooms within the building should be carefully considered at an early stage in the design process to limit the impact of external noise on bedrooms and living rooms. The impact of noise should also be considered in the placement of private external spaces. Detailed guidance is provided in the '**Noise and vibration**' section of CPG6 **Amenity** and . The following requirements must be met.

- Internal layouts of dwellings should be designed to reduce the problem of noise disturbance between adjoining properties by using 'vertical stacking', i.e. placing living room above living room and bedrooms above bedrooms etc.
- Bedrooms should not be placed above, below or next to potentially noisy rooms, circulation areas of adjacent dwellings or noisy equipment, such as lifts.
- Windows should be located away from busy roads and railway lines/tracks to minimise noise and pollution and vibration.
- The layout of adjacent dwellings and the location of lifts, plant rooms and circulation spaces should seek to limit the transmission of noise to sound sensitive rooms within dwellings.
- Party walls and floors of flats created by conversion must be adequately soundproofed.
- All housing should be built with acoustic insulation and tested to current Building Regulations standards, but acoustic insulation should not be relied upon as the only means of limiting noise.

- Minimum levels of soundproofing are set out in the Building Regulations Part E - Resistance to the passage of sound. Levels of sound insulation above the minimum are encouraged.
- Further advice is given in the London Plan SPG on Sustainable Design and Construction

### **Outdoor amenity space**

4.29 Outdoor residential amenity space can be provided in the form of private garden space, balconies, terraces, roof gardens or as communal amenity space. Where practical the following requirements should be met.

#### **Private outdoor amenity space:**

- All new dwellings should provide access to some form of private outdoor amenity space, e.g. balconies, roof terraces or communal gardens.
- Private gardens should be allocated to family dwellings.
- Where provided, gardens should receive adequate daylight, even in the winter.
- The access to private amenity space should be level and should be from the main living space.
- Balconies should have a depth of not less than 1.5 metres and should have level access from the home.
- Balconies and terraces should be located or designed so that they do not result in the loss of privacy to existing residential properties or any other sensitive uses.
- Balconies should preferably be located next to a dining or living space and should receive direct sunlight (they can be designed to project from main building line or be recessed).

4.30 In some instances, it is accepted that existing buildings may not be able to provide balconies or roof terraces, however, external amenity space i.e. access to communal gardens should still be provided where possible. See CPG1 **Design** for further guidance on '**Roofs, terraces and balconies**'.

#### **Communal amenity space:**

- Space should meet the requirements of the occupiers of the building and be wheelchair accessible. For example, if there are a large proportion of family units, child and young person's facilities should be included in the communal space. The council will use the Mayor of London's 'Providing children's and young people's play and informal recreation SPG' (March 2008) when calculating requirements: <http://static.london.gov.uk/mayor/strategies/sds/spg-children-recreation.jsp> (accessed April 2011).
- Space should be well designed so that residents have a sense of ownership of the space, which will encourage its use.

- Space should be located sensitively so that it is overlooked by surrounding development and secure for residents.
- Space should be designed to take advantage of direct sunlight.
- Space should be designed to minimise disturbance to occupiers and neighbours, e.g. by being sheltered from busy roads, by being located in the rear of the buildings, back to back, behind perimeter blocks or in courtyards.
- Landscaping and facilities provided for the space should be of a high quality and have suitable management arrangements in place.

### Further information

GLA Housing Design Guide	The Mayor's London Housing Design Guide from April 2011 (August 2010) provides detailed guidance on housing design in London <a href="http://www.london.gov.uk/who-runs-london/mayor/publications/housing/london-housing-design-guide">http://www.london.gov.uk/who-runs-london/mayor/publications/housing/london-housing-design-guide</a> (accessed April 2011)
Lifetime Homes and Wheelchair Housing Standards	In addition to the above residential standards, most residential schemes will also need to meet specific requirements for Lifetime Homes and Wheelchair Housing Standards: <ul style="list-style-type: none"> <li>• For further guidance on how to meet Camden's requirements refer to CPG on Lifetime homes and wheelchair housing.</li> <li>• For good practice guidance specifically on Lifetime Homes <a href="http://www.lifetimehomes.org.uk">www.lifetimehomes.org.uk</a></li> </ul>
Daylight and Sunlight	For good practice advice on overshadowing and providing daylight and sunlight to buildings, refer to the widely used BRE Report "Site Layout Design for Daylight and Sunlight; a guide to good practice". It provides specific guidance on: <ul style="list-style-type: none"> <li>• Providing good daylighting and sunlighting within a new development</li> <li>• Safeguarding sunlight and daylight within existing buildings nearby</li> <li>• Protection of daylighting of adjoining land for future development</li> <li>• Passive solar site layout</li> <li>• Sunlighting of gardens and amenity areas</li> </ul>
Sustainability	The Council will require all that all buildings are designed to be sustainable, thus reference should also be made to CPG3 <b>Sustainability</b> , in particular, the 'Code for Sustainable Homes' sub-section in 'Sustainability assessment tools'.



Camden Planning Guidance

# Amenity

London Borough of Camden

CPG 6





## CPG6 Amenity

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# 1 Introduction

## What is Camden Planning Guidance?

- 1.1 We have prepared this guidance to support the policies in our Local Development Framework (LDF). It is therefore consistent with the Camden Core Strategy and Development Policies, and is a formal Supplementary Planning Document (SPD) which is an additional “material consideration” in planning decisions. This guidance will replace Camden Planning Guidance 2006, updating advice where appropriate and providing new guidance on matters introduced or strengthened in the LDF.
- 1.2 Camden Planning Guidance covers a range of topics (such as design, housing, sustainability and planning obligations) and all of sections should be read in conjunction with, and within the context of, Camden’s other LDF documents.

## Amenity in Camden

- 1.3 A key objective of the Camden Core Strategy is to sustainably manage growth so that it avoids harmful effects on the amenity of existing and future occupiers and to nearby properties.

## What does this guidance cover?

- 1.4 This guidance provides information on all types of amenity issues within the borough and includes the following sections:
  1. Air quality
  2. Contaminated land
  3. Noise and vibration
  4. Artificial light
  5. Daylight and sunlight
  6. Overlooking, privacy and outlook
  7. Construction management plans
  8. Access for all
  9. Wind and micro-climate
  10. Open space, outdoor sport and recreation facilities

- 1.5 This guidance supports the following Local Development Framework policies:

## Camden Core Strategy

- CS5 - Managing the impact of growth and development
- CS15 - Protecting and improving our parks and open spaces & encouraging biodiversity
- CS16 - Improving Camden’s health and well-being

**Camden Development Policies**

- DP26 - Managing the impact of development on occupiers and neighbours
- DP28 - Noise and vibration
- DP31 - Provision of, and improvements to, public open space and outdoor sport and recreation facilities
- DP32 - Air quality and Camden's Clear Zones

## 2 Air quality

### KEY MESSAGES:

- All of Camden is a designated Air Quality Management Area due to the high concentrations of nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>).
- All developments are to limit their impact on local air quality.

2.1 Poor air quality can harm health and the environment. The Council aims to make sure that new development does not harm air quality. This guidance provides advice on how to address air quality issues in planning applications.

2.2 Camden Core Strategy policy CS16 - *Improving Camden's health and well-being* and policy DP32 – *Air quality and Camden's Clear Zone* of the Camden Development Policies sets out our approach to air quality in the borough.

2.3 *Planning Policy Statement PPS23: Planning and Pollution Control* contains the Government's core policies and principles on air quality and air pollution. The London Plan outlines regional policies related to protecting local air quality during the planning process.



### Air quality in Camden

2.4 An Air Quality Management Area (AQMA) must be declared by the local authority for an area that is unlikely to meet the national air quality targets for specific air pollutants. The authority then produces a Local Air Quality Action Plan. See Camden's website for our air quality plan.

2.5 The whole of Camden is an Air Quality Management Area (AQMA) as it does not meet national air quality targets for nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>). The main sources of air pollution in Camden are road transport and gas boilers. The Council's Air Quality Action Plan outlines measures to reduce emissions from the key sources of air pollution in the borough. Included in the plan are measures to minimise and control NO<sub>x</sub> and PM<sub>10</sub> emissions associated with new developments both during the construction of a building and its future use.

2.6 Air quality is particularly poor in the south of borough which is characterised by high levels of traffic. We will only grant planning permission for development that significantly increases travel demand in

the south of the borough where it includes appropriate measures to minimise the transport impact of development.

- 2.7 Where appropriate we will seek developments to include monitoring equipment to allow us to better understand local air quality.

#### **WHAT DOES THE COUNCIL REQUIRE?**

The Council's overarching aim is for new development is to be 'air quality neutral' and not lead to further deterioration of existing poor air quality.

You will be required to include mitigation and offsetting measures to deal with any negative air quality impacts associated with your development proposals. At the same time your development should be designed to minimise exposure of occupants to existing poor air quality.

To manage and prevent further deterioration of air quality in Camden, we will require an air quality assessment with planning applications for development that could have a significant negative impact in air quality. This impact can arise during both the construction and operational stages of a development as a result of increased NO<sub>x</sub> and PM<sub>10</sub> emissions.

- 2.8 An air quality assessment will also be required for a proposal if it introduces uses that are susceptible to poor air quality, such as housing or a school, into areas of particularly poor air quality.
- 2.9 The Council will not grant planning permission for developments that could significantly harm air quality or introduce people into areas of elevated pollution concentrations, unless mitigation measures are adopted to reduce the impact to acceptable levels and protect public exposure (see paragraph 32.4 of policy DP32 of the Camden Development Policies).
- 2.10 Although all of Camden is covered by an AQMA we will only require an air quality assessments where development could potentially cause significant harm to air quality as set out in the table below.

**An Air Quality Assessment is required in developments:**

- with potential to significantly change road traffic on any road exceeding 10,000 vehicles per day. Significant changes include:
  - increase in traffic volumes > 5% (Annual Average Daily Traffic (AADT) – or peak);
  - lower average vehicle speed or significant increase in congestion;
  - significant increase in the percentage of HGVs;
- that introduce, or increase car parking facilities by, 100 spaces or more;
- with commercial floorspace of more than 1,000sq m;
- with more than 75 homes;
- where people will be exposed to poor air quality for significant periods of the day, in particular developments located on busy roads;
- involving the following - biomass boilers, biomass or gas combined heat and power (CHP);
- involving industrial or commercial floorspace regulation under the Environmental Permitting (England and Wales) Regulations (EPR) which will be subject to Environmental Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

**What should an air quality assessment cover?**

- 2.11 Air quality assessments for developments potentially contributing to poor air quality are to include the following:
- a) An inventory of the PM<sub>10</sub> and NO<sub>x</sub> emissions associated with the proposed development, including the type and quantity of emission concentrations, during the construction and operational phase. This shall cover transport, stationary and mobile emission sources.
  - b) The application of atmospheric dispersion modelling to predicted existing and future NO<sub>2</sub> and PM<sub>10</sub> concentrations, both with and without the proposed development. Dispersion modelling shall be carried out in accordance with Air Quality and Planning Guidance, London Councils (2007) and Technical Guidance Note (TG09). (Specific guidance for modelling combustion plant emissions can be obtained from the Council's Sustainability Team – see Useful Contacts at the end of this section).
  - c) An assessment of the significance of air quality impacts during both the construction and operational phases. Reference shall be made to the Environmental Protection UK Guidance Note: Development Control: Planning for Air Quality (2010 Update).
  - d) Consideration of the potential cumulative impacts on air quality which may arise during the construction or operational phases as a result of emissions arising from other developments within a 100m radius of the development.
  - e) Where a biomass boiler or combined heat and power (CHP)/combined cooling, heating and power (CCHP) will be used for

on site energy generation, you are to complete the Council's Air Quality Information Request Form. This requires specific technical details related to the appliance, fuel type, emission concentrations, maintenance and exhaust stack. The forms can be obtained from Camden's Air Quality Officer or the Council's air quality webpage under Environment.

- f) Applications which include biomass boilers or biomass CHP, the air quality assessment shall compare the impact of emissions from the intended biomass boiler/CHP and a gas boiler/CHP of identical thermal rating.
- g) An indication of the number of new occupiers and users of the site who will be exposed to poor air quality as a result of the development (the occupiers/users should also be shown on a map). For further information please refer to the Environmental Protection UK Guidance Note: Development Control: Planning For Air Quality (2010 Update).
- h) An assessment of the impacts on air quality of the demolition and construction phase and details of mitigation methods for controlling dust and emissions from plant and machinery. Reference should be made to the Best Practice Guidance: The control of dust and emissions at construction and demolition, London Councils (2006).
- i) An outline of, and justification for, mitigation measures associated with the design, location and operation of the development in order to reduce air pollution and exposure to poor air quality.

#### **Developments containing sensitive uses**

- 2.12 Developments which will not result in additional NO<sub>x</sub> and/or PM<sub>10</sub> emissions and present no risk in worsening air quality, but introduce new sensitive uses to an area which breaches the air quality standards for NO<sub>2</sub> or PM<sub>10</sub> need to submit an assessment of the local air quality but can omit requirements B, D and E above.

#### **What measures can reduce air pollution emissions and protect public exposure?**

- 2.13 Various actions can be taken to mitigate air pollution emissions arising from the construction and operational phases of a new development. Additional actions can be adopted to curtail public exposure in areas where air pollution levels are particularly high. These should be taken into account during the design stage of an application. The key measures are detailed below:

#### **Demolition and construction**

- 2.14 The impact of the construction and demolition phases of a development on air quality must be taken into account as part of your planning application. Exhaust



emissions from construction vehicles and machinery such as generators, piling and grinding equipment can result in:

- dust emissions;
- gases (NO<sub>x</sub>); and
- fine particles.

2.15 Controlling dust emissions is important to:

- prevent disturbance to local residents due to soiling;
- minimise damage to vegetation; and
- reduce impacts on local PM<sub>10</sub> concentrations, thereby protecting public health.

2.16 We may require PM<sub>10</sub> monitoring, before and during the construction and demolition phase, dependant upon the scale of the proposed development.

2.17 We will encourage best practice measures to be adopted during construction and demolition work to reduce and mitigate air pollution emissions. You will be encouraged to adopt the procedures outlined in the London Council's best practice guidance *The control of dust and emissions from construction and demolition*. These focus around three principles to control emissions – prevention, suppression and containment. We will expect you to include the following items in construction management plans:

- Identification of whether demolition/construction represents a low, medium or high risk site in the context of air quality.
- Identification of the best practice measure required to control and mitigate plant and vehicles exhaust emissions.  
(See section 8 of this Guidance on Construction management plans for further details).

#### **Distance of impacts**

Depending of the size, location and characteristics of your development, impacts from demolition and construction phases can occur at distance of 10 to 500m.

#### **Building location and design**

2.18 The location of a development has a direct influence on exposure to elevated air pollution levels. This is particular relevant where developments include sensitive uses such as hospitals, schools and children's playgrounds. Suitable building design, layout and orientation can avoid increasing exposure whilst minimising energy demand and energy loss. The Council requires the impact of outdoor air pollution on indoor air quality in new developments to be taken into account at the earliest stages of building design.



- 2.19 The location of outside space is also an important consideration and any exposure of gardens and roof terraces should be screened and, where practicable, minimised through appropriate positioning and orientation. You should take care not to locate flues and exhaust vents in close proximity to recreational areas such as roof terraces or gardens. An energy efficient building design can minimise air pollution resulting from the use of gas boilers. Adopting sustainable building design (e.g. the Code for Sustainable Homes and the Building Research Establishment Environmental Assessment Method (BREEAM)), will reduce thermal heat losses and result in less gas use leading to lower NO<sub>x</sub> emissions. See Camden Planning Guidance 3 – Sustainability for further details on the Code and BREEAM.

### Gas boilers

- 2.20 Gas boilers are a large source of NO<sub>x</sub> emissions in Camden. In order to minimise NO<sub>x</sub> emissions arising from heating and hot water systems the Council requires boilers fitted in new development to achieve a NO<sub>x</sub> emissions of <40 mg/m<sup>3</sup> and an energy efficiency rating >90%.

### Renewable Energy and Combined Heat and Power

- 2.21 Core Strategy policy CS13 promotes the use of renewable energy technologies to reduce carbon emissions and tackle climate change. The adoption of renewable energy and energy efficiency technologies in major developments can minimise air pollution emissions through reductions in gas consumption required for heating and hot water. These include solar thermal collectors and ground source heat pumps in addition to gas and hydrogen fuel cell combined heat and power (CHP) or combined cooling heat and power (CCHP).

#### Hydrogen fuel cell

A fuel cell is an electrochemical cell that converts energy from a fuel (hydrogen) into electricity.

- 2.22 Biomass boilers however can give rise to higher emissions of NO<sub>x</sub> and PM<sub>10</sub> emissions than conventional gas boilers. Permission to operate these appliances will only be granted if the air quality impacts are demonstrated to be equivalent or lower than those associated with a conventional gas boiler of similar thermal rating. Where an assessment demonstrates adverse effects on air quality, this type of biomass boiler should not be used in the development.
- 2.23 You are advised to refer to the national guidance note *Biomass and Air Quality Guidance Note for Local Authorities*, published by Environmental Protection UK. In cases where emissions released from a biomass boiler do not lead to negative impacts on air quality, the



appliance will be required to meet high standards of air pollution control with particular emphasis given to:

- boiler design and operation;
- pollution abatement equipment;
- servicing and maintenance;
- fuel quality, storage and delivery; and
- exhaust stack height.

2.24 We will require evidence that the exhaust stack height of gas CHP/CCHP has been appropriately calculated to guarantee that NO<sub>x</sub> emissions are effectively dispersed, and do not risk increasing ground level NO<sub>2</sub> concentrations. An air quality assessment will be required for developments including CHP/CCHP. Where the assessment reveals a negative impact on air quality, mitigation measures will be required entailing the best available techniques to reduce emissions. This includes the installation of NO<sub>x</sub> abatement technology such as:

- use of low NO<sub>x</sub> burners; or
- increasing stack height.

2.25 A programme of on-going maintenance and servicing will be necessary to minimise gas emissions released from CHP/CCHP.

2.26 The Council will use Section 106 obligations to set requirements for controlling emissions from biomass boilers and CHP/CCHP.

### **Traffic Reduction**

2.27 Reducing car usage caused by new developments is the principle way to minimise vehicle emissions and protect local air quality. Please refer to transport policy *CS11 - Promoting sustainable and efficient travel* in the Camden Core Strategy for more on our approach to improving air quality through transport measures. This requires:

- the adoption of car free and car capped developments;
- provision cycling facilities to encourage sustainable transport;
- green travel plans;
- provision of car club bays; and
- infrastructure for low emissions vehicles such as electric vehicle recharging points.

### Further information

Planning Guidance	<ul style="list-style-type: none"> <li>• Planning Policy Statement 23: Planning and Pollution Control (2004)</li> <li>• Planning Policy Statement 23 Annex 1: Pollution Control, Air and Water Quality These documents outline the government's advice on methods of planning for pollution control.</li> </ul>
Air Quality Guidance	<ul style="list-style-type: none"> <li>• Technical Guidance Note: Assessment of Air Quality Issues of Planning Applications, Association of London Government (ALG), 2006 This provides technical advice on how to deal with planning applications that could have an impact on air quality.</li> <li>• Development Control: Planning for Air Quality. Environmental Protection UK, 2010 This advises of the significance of air quality assessments within the planning process.</li> <li>• Best Practice Guidance - The control of dust and emissions from construction and demolition (London Councils) 2006 The aim of this guidance is to protect the health of on-site workers and the public and to provide London-wide consistency for developers.</li> <li>• Biomass and Air Quality Guidance for Local Authorities (Environmental Protection UK) 2009 This guidance details procedures for assessing and managing the effects of biomass on air quality and provides background material.</li> <li>• Low Emission Strategies (Beacon Low Emission Group) 2009 This provides advice on how to reduce emissions of air pollutants and greenhouse gases from transport.</li> </ul>
Useful Contacts	<p>Camden Council Corporate Sustainability Team  <a href="http://www.camden.gov.uk/smallsteps">www.camden.gov.uk/smallsteps</a> (020 7974 4444)          provides guidance on air quality in Camden</p>

## 3 Contaminated land

### KEY MESSAGES:

- Contaminated land can pose a serious risk to health.
- The Council will expect developers to identify and assess potentially contaminated land at an early stage.
- Developers will be expected to follow the Council's Contaminated Land Strategy.

3.1 This guidance provides advice on how to approach the development of potentially contaminated sites. This guidance should be read in conjunction with Core Strategy policy CS16 – *Improving Camden's health and well-being*.

3.2 To protect the local environment and the health and well-being of residents, workers and visitors, we will carefully assess any proposals for the redevelopment of sites that:

- are known to be contaminated;
- have the potential to be contaminated, through previous or current uses; or
- are located in close proximity to these sites.

### What is contaminated land?

3.3 Contaminated land is land that has been polluted with harmful substances to the point where it now poses a serious risk to health and the environment.

### Causes of land contamination

- improper chemical handling or disposal practices,
- accidental spillages, or leakages of chemicals during manufacturing or storage.
- polluted groundwater migrating under a site
- particles settling from factory emissions.

3.4 The most common pollutants of land are metals and organic compounds. Typical land uses that can cause land contamination include petrol stations and gas works.

3.5 Contamination can also come from historical activities dating back many hundreds of years, such as spoil heaps from some Roman lead mines, and even from naturally occurring substances.

3.6 Contaminants may still be present above acceptable levels even though the polluting use stopped many years ago. 'Contaminated land' has a specific legal definition which is used in relation to an 'unacceptable risk'

of harm to health. For more information please see Department for Environment, Food and Rural Affairs (DEFRA) web pages.

- 3.7 In principle we will support the redevelopment of contaminated sites where the contamination issue can be successfully addressed and where future uses can be carried out safely. Remediation is particularly important where people have access to ground for gardening, play or planting food for consumption within redeveloped sites.

### **What should you do if your site is contaminated or potentially contaminated?**

- 3.8 In accordance with Planning Policy Statement (PPS) 23: Planning and Pollution Control, if you propose a development on contaminated or potentially contaminated land, it is your responsibility to ensure that contaminated land issues are considered at the planning application stage.
- 3.9 Where contamination is known or suspected on a site or the proposed use would be vulnerable to contamination, we will expect you to provide, as a part of your planning application, the necessary information as outlined in this chapter to determine whether the proposed development is acceptable.
- 3.10 The information required will need to be sufficient for us to determine:
- the existence or otherwise of contamination;
  - the nature of the contamination and the risks it may pose; and
  - whether these can be satisfactorily reduced to an acceptable level.
- Please refer to Annex 2 of PPS23 for further details.
- 3.11 The identification and assessment of land contamination issues is to be carried out by a qualified and experienced consultant, in consultation with the Council's Environmental Health Service. The contamination report is to be submitted with your planning application so that contamination issues can be assessed at the planning application stage and any necessary remediation measures secured through conditions or a Section 106 legal agreement.
- 3.12 The Council's Contaminated Land Strategy sets out how we will:
- deal with contaminated land;
  - make information available to the public; and
  - implement the requirements of the Part IIa of the Environmental Protection Act 1990 and Environment Act 1995. This and other documents are available on the Council's website ([www.camden.gov.uk/contaminatedland](http://www.camden.gov.uk/contaminatedland)) and should be referred to where contamination is a potential issue.
- 3.13 If there is any existing contamination (or potential risk of contamination) to ground or surface water or to land with statutory nature conservation designation, either from the existing state of land or from proposed

works, the Environment Agency must be informed and their consent obtained to any works. The English Heritage Archaeological Section should be contacted where contaminated land is included within an Archaeological Priority Area.

**Archaeological Priority Area**

As specified in the Camden Proposals Map, and Map 4 of the Camden Development Policies, to help protect archaeological remains that might be affected by development. See policy DP25 Conserving Camden's Heritage of the Camden Development Policies for further guidance on the borough's Archaeological Priority Areas.

- 3.14 Your report should comply with the policies and advice given in PPS23 and its annexes. There are also various best practice documents and British Standards that should be followed. The London Boroughs have produced a local guidance document titled *Contaminated Land: A Guide to Help Developers Meet Planning Requirements*. This document provides guidance on what information should be contained within a contamination report and is available on Camden's website.

### Supporting documents

PPS23	<p>Planning Policy Statement 23: Planning and Pollution Control. Office of the Deputy Prime Minister, November 2004. <a href="http://www.odpm.gov.uk">www.odpm.gov.uk</a></p> <p>In particular Annex 2 should be referred to as this section deals specifically with contaminated land issues. The policies and advice contained in PPS23 is not repeated in this guidance and therefore should be consulted for detailed guidance.</p>
Camden Council Website	<p>Information on the Council approach to management of land contamination, information on historical land uses in the Borough and a copy of the London Borough's 'Guide for Developers on Contaminated Land'.</p> <p><a href="http://www.camden.gov.uk/contaminatedland">http://www.camden.gov.uk/contaminatedland</a></p>
Department of Food, Environment and Rural Affairs	<p>has published a number of documents on land contamination. These can be found at:</p> <p><a href="http://www.defra.gov.uk/environment/land/contaminated/index.htm">www.defra.gov.uk/environment/land/contaminated/index.htm</a></p>
Environment Act 1995	<p>Available from Stationary Office:</p> <p><a href="http://www.opsi.gov.uk/acts/acts1995/Ukpga_19950025_en_1.htm">www.opsi.gov.uk/acts/acts1995/Ukpga_19950025_en_1.htm</a></p>

### Useful Contacts

Camden Environmental Health Service (Contaminated Land) web page [www.camden.gov.uk/contaminatedland](http://www.camden.gov.uk/contaminatedland) has more information on the Council's approach to contaminated land.

English Heritage [www.english-heritage.org.uk](http://www.english-heritage.org.uk) can provide advice on the approach to contaminated land within Archaeological Priority Areas.



## 4 Noise and vibration

### KEY MESSAGES:

We will ensure that noise and vibration is controlled and managed to:

- Limit the impact of existing noise and vibration sources on new development; and
- Limit noise and vibration emissions from new development.

- 4.1 The impact of noise and vibration can have a major affect on amenity and health and can severely affect people's quality of life.
- 4.2 Policy *DP28 – Noise and Vibration* of the Camden Development Policies aims to ensure that noise and vibration is controlled and managed. It sets out the Council's thresholds for noise and vibration and goes beyond the thresholds set out in Planning Policy Guidance 24: Planning and noise (see below). DP28 contains noise/vibration thresholds for the day, evening and night.



## **How can the impact of noise and vibration be minimised?**

4.3 The main sources of noise and vibration in Camden are generated from:

- Road traffic;
- Railways;
- Industrial uses;
- Plant and mechanical equipment;
- Entertainment uses (such as bars and nightclubs); and
- Building sites.

4.4 For details on how to manage noise and vibration from building sites see section 8 on Construction management plans.

## **Ways to minimise the impact of noise on your development**

### **Design**

- Locating noise sensitive areas/rooms away from the parts of the site most exposed to noises;
- Creating set backs;
- Designing the building so its shape and orientation reflect noise and protect the most sensitive uses;
- Stacking similar rooms (such as kitchens and living rooms) above each other; and
- Positioning non-residential uses closer to the noise source in mixed use developments.

### **Built fabric**

- Insulating and soundproofing doors, walls, windows, floors and ceilings;
- Sealing air gaps around windows;
- Double glazing;
- Including architectural fins (where appropriate); and
- Laminated glass.

### **Landscaping and amenity areas**

- Incorporating planting, landscaping, fencing/barriers and solid balconies to reflect sound.

4.5 Our preference for controlling noise:

- Begins with attempting to reduce noise at its source;
- Then to separate the development (or at least the sensitive parts e.g. habitable rooms) from the source or to use noise barriers; and

- Finally construction materials such as acoustic glazing should be used.

- 4.6 When you consider measures to minimise noise and vibration you also need to take into account our policies on design and crime prevention. You should consider the implications of noise and vibration at the beginning of the design process to enable prevention or mitigation measures to be designed into the scheme. Poorly designed schemes will not be acceptable.
- 4.7 Proposals will be expected to include appropriate attenuation to alleviate or mitigate the impact of noise and vibrations to an acceptable level, as set out in policy *DP28 – Noise and vibration* of the Camden Development Policies. Where appropriate, the Council will consider the cumulative impact of noise sources (for example, air conditioning units).
- 4.8 Everyday domestic activities can also generate noise, e.g. communal entrances and roof terraces. Sufficient sound insulation must be provided between dwellings to prevent the transmission of noise between them, particularly in conversions where new partition walls are often deficient in terms of insulation.

### **Ways to mitigate noise emitted by your development**

#### **Engineering**

- Reducing the noise emitted at its point of generation (e.g. by using quiet machines and/or quiet methods of working);
- Containing the noise generating equipment (e.g. by insulating buildings which house machinery and/or providing purpose-built barriers around the site); and
- Protecting any surrounding noise-sensitive buildings (e.g. by improving sound insulation in these buildings and/or screening them by purpose-built barriers).

#### **Layout**

- Ensuring an adequate distance between source and noise-sensitive buildings or areas; and
- Screening by natural barriers, buildings, or non-critical rooms in the development.

#### **Administrative**

- Limiting the operating time of the source;
- Restricting activities allowed on the site; and
- Specifying an acceptable noise limit.

- 4.9 If your proposal could result in noise and vibration that would cause an unacceptable impact to nearby uses or occupiers, or proposes sensitive uses near a source of noise or vibration and cannot be adequately attenuated then planning permission is likely to be refused.

Developments will be assessed against the thresholds set out in policy DP28.

### **How will the Council manage the impact of noise and vibration?**

- 4.10 Detailed acoustic/noise and vibration information in the form of a report will be required if your development proposes:
- The installation of plant, ventilation or air conditioning equipment;
  - A use that will create significant noise (e.g. new industry, nightclub)
  - A noise-sensitive development in an area where existing noise sources are present (e.g. an existing industrial site, busy road, railway line);
  - A use that will generate a significant amount of traffic.

#### **Noise sensitive developments**

Those developments located near sources of noise, including housing, schools and hospitals as well as offices, workshops and open spaces.

- 4.11 The list above is a guide only and you may need to provide noise and vibration information for other developments depending on the circumstances of the site or proposal.
- 4.12 The appropriate amount and detail of information required will depend on the specific circumstances of your proposal. At a minimum you will be expected to provide the following information to support your application:
- Description of the proposal;
  - Description of the site and surroundings, a site map showing noise and vibration sources, measurement locations and noise receivers;
  - Background noise levels;
  - Details of instruments and methodology used for noise measurements (including reasons for settings and descriptors used, calibration details);
  - Details of the plant or other source of noise and vibration both on plan and elevations and manufacturers specifications;
  - Noise or vibration output from proposed plant or other source of noise and vibration, including:
    - Noise or vibration levels;
    - Frequency of the output;
    - Length of time of the output;
    - Features of the noise or vibration e.g. impulses, distinguishable continuous tone, irregular bursts;
  - Manufacturers' specification of the plant, supporting structure, fixtures and finishes;

- Location of neighbouring windows (and use if applicable);
- Details of measures to mitigate noise or fume emissions and vibration;
- Details of any associated work including acoustic enclosures and/or screening;
- Cumulative noise levels of all the proposed and existing units;
- Hours/days of operation.

4.13 Where appropriate the Council will seek a legal agreement to control or reduce noise levels where this is unlikely to be met through the use of a condition attached to a planning permission.

### Further information

PPG24	<p>Planning Policy Guidance Note 24: Planning and Noise provide Government guidance on noise. This guidance defines four Noise Exposure Categories (A-D) and outlines what should be done if your proposal falls into one of these categories. Advice is also provided on how to address noise issues and secure amelioration methods through the planning system.</p> <p><a href="http://www.communities.gov.uk/publications/planningandbuilding/ppg24">www.communities.gov.uk/publications/planningandbuilding/ppg24</a></p>
DEFRA	<p>The Department of Food, Environment and Rural Affairs provide a number of publications on noise and noise related issues.</p> <p><a href="http://www.defra.gov.uk">www.defra.gov.uk</a></p>
Camden Council website	<p>Camden's Environmental Health web pages provide strategic information on noise in Camden including the results of monitoring that has taken place</p> <p><a href="http://www.camden.gov.uk/noise">www.camden.gov.uk/noise</a></p> <p>Also see <i>Camden's Guide for Contractors working in Camden</i> on the Camden website.</p>
The Mayor's Ambient Noise Strategy	<p>This provides details on the Mayor of London's approach to reducing noise in London.</p> <p><a href="http://legacy.london.gov.uk/mayor/strategies/noise/docs/noise_strategy_all.pdf">http://legacy.london.gov.uk/mayor/strategies/noise/docs/noise_strategy_all.pdf</a></p>



## 5 Artificial light

### KEY MESSAGES:

When considering proposals for artificial lighting the Council will consider the:

- need for planning permission;
- need for the lighting;
- design of the lighting; and
- impacts on biodiversity.

5.1 This section provides guidance on the Council's approach to artificial lighting. This guidance should be read in conjunction with policy *DP26 Managing the impact of development on occupiers and neighbours* of the Camden Development Policies.

5.2 Artificial lighting has many benefits, however excessive or poorly designed lighting can be damaging to the environment and result in visual nuisance including by:

- Having a detrimental impact on the quality of life of neighbouring residents;
- Significantly changing the character of the locality;
- Altering wildlife and ecological patterns; and
- Wasting energy.



5.3 Nuisance often occurs due to glare and 'light spillage' because the lighting has been poorly designed.

5.4 *Planning Policy Statement 23 (PPS23): Planning and Pollution Control* enables the Council to take account of the possible obtrusive impact of



lighting and paragraph 3.25 of PPS23 permits us to use conditions or planning obligations to protect the environment.

#### **WHAT IS LIGHT POLLUTION?**

Light pollution is the term used to describe any adverse effect of artificial lighting. Light pollution includes:

- Glare - the uncomfortable brightness of a light source when viewed against a dark sky;
- 'Light trespass' – the spread of light spillage the boundary of the property on which a light is located; and
- 'Sky glow' - the orange glow we see around urban areas caused by a scattering of artificial light by dust particles and water droplets in the sky.

## **Will planning permission be required for lighting?**

- 5.5 Structures supporting, and the installation of lighting equipment may require planning permission, especially if they are substantial or affect the external appearance of a building. Planning permission is not required for the carrying out of maintenance which affects only the interior of the building or does not materially affect the external appearance of the building. Temporary lighting schemes generally do not require planning permission.
- 5.6 Planning permission is normally required for:
- the erection of columns to support lighting or other similar structures;
  - the erection of substantial structures or installations that affect the external appearance of a property;
  - external lighting as part of an industrial or commercial scheme;
  - new lighting structures or works which are integral to other development requiring planning permission; and
  - illuminated advertisements, although there are some exceptions such as those indicating medical services and some commercial advertisements on the front of business premises (See Camden Planning Guidance 1 - Design).
- 5.7 You are advised to check with the Planning Service before installing any lighting scheme. You will need to provide the following details:
- Number of lights;
  - Likely lux output;
  - The height of the lighting columns (if applicable); and
  - The area to be lit.
- In accordance with policy DP26 in Camden Development Policies, schemes that would cause harm to amenity will not be permitted.

## **What information should accompany a planning application?**

- 5.8 Where planning permission for lighting schemes is required you will need to submit the information required by paragraph 5.7. We will also expect the submission of the following additional information:
- The design of lights and infrastructure;
  - A plan or plans showing layout of the lights, including orientation of the beams of light;
  - Lighting levels, lumen details, lamp type, wattage;
  - Control systems including types and location of sensors, times lighting will be on; and
  - The need for the lighting, that is, an explanation of what activity the lighting is supporting.

- 5.9 All light installations must be energy efficient and 'Dark Sky' compliant, thereby not causing obtrusive light pollution, glare or spillage (by reference to the British Astronomical Association Campaign for Dark Skies).

**Lumen**

This is a measurement of the light output from a light source.

**Lux**

This is a measurement of the light intensity falling on a surface.

**Dark sky compliance**

To design lighting schemes in order to avoid lighting that extends beyond its intended target and would be inefficient and waste energy. It also avoids glare and light in unwanted areas.

## What should you consider when designing lighting?

### General lighting requirements

- 5.10 To minimise obtrusive light you should follow the general principles taken from the Institution of Lighting Engineers, Guidance Notes for the Reduction of Obtrusive Light (2005):
- a) Lighting is to be directed downwards wherever possible to illuminate its target. If there is no alternative to up lighting, then the use of shields will help reduce the spill of light to a minimum. Up lighting is a particularly bad form of obtrusive light and contributes to sky glow.
  - b) Lighting is to be designed to minimise the spread of light near to, or above, the horizontal. Again, any light that shines above the horizontal line of the light adds to the sky glow effect.
  - c) Lighting should be designed to the correct standard for the task. Over-lighting is a cause of obtrusive light and also represents a waste of money and energy.
  - d) The main beam angle of all lights proposed directed towards any potential observer is to be kept below 70°. It should be noted that the higher the mounting height, the lower the main beam angle could be. This will help reduce the effect of glare and light spill on neighbouring dwellings, passing motorists, pedestrians, etc.
  - e) Lighting should be directed to minimise and preferably avoid light spillage onto neighbouring properties. Wherever possible use floodlights with asymmetric beams that permit the front glazing to be kept at, or near parallel to, the surface being lit.
  - f) The lights used should be the most efficient taking into account cost, energy use, and the purpose of the lighting scheme required. All lighting schemes should meet British Standards.
- 5.11 We will seek to ensure that artificial lighting is sited in the most appropriate locations to cause minimal disturbance to occupiers and wildlife, while still illuminating the intended area. This includes considering any occupiers located above the lighting source.

- 5.12 Consideration should be given to lighting associated with buildings of special historic and architectural interest in order to protect their special interest and that of the wider area. This applies both to the lighting of such buildings and the impact of the lighting installation when seen by day.

### **Lighting Infrastructure**

- 5.13 The visual effect of lighting infrastructure when viewed in the daytime needs to be considered. These elements can include junction boxes, poles, brackets and cabling. The design, size and colours of the physical infrastructure needs to be carefully considered and should relate to the building it is located on.

### **Use**

- 5.14 The design of lighting should be specific to the use it supports (e.g. for recreation facilities). Hours of lighting should be limited to the times needed to support the use (both in summer and winter) and be restricted through the use of timers and sensors where relevant (e.g. for security lighting).
- 5.15 The Council may seek to secure conditions to any planning permission in order to control the hours of operation of any approved lighting scheme.

### **Why do impacts on biodiversity need to be considered?**

- 5.16 Artificial lighting can often impact on wildlife habitats, particularly where lighting is proposed in open spaces, for example to provide lighting for sports courts and pitches or to improve security (such as along Regents Canal). Artificial lighting can have particularly severe implications for the natural daily rhythms of a range of animals and plants, and therefore sites and habitats identified for their nature conservation value should not be adversely affected by lighting. (See the Local Development Framework Proposals Map for a list of nature conservation sites).
- 5.17 If your proposed lighting is located within or adjacent to areas of open space we will expect that any biodiversity impacts arising from the installation or operation of the lighting is mitigated. This may require a survey to identify if there are any nesting birds in the immediate vicinity or if it is close to an area where bats may hibernate or emerge at feeding time. This is particularly important if the operation of the lighting extends beyond dusk, which is roughly the time bats will come out to forage. See Camden Planning Guidance 3 – Sustainability for further information on our approach to protecting biodiversity.
- 5.18 You should contact Camden's Biodiversity Officer at an early stage to discuss measures to mitigate the impact of lighting schemes on biodiversity.

### Further information

PPS23	Planning Policy Statement 23: Planning and Pollution Control. Office of the Deputy Prime Minister, November 2004. <a href="http://www.odpm.gov.uk">www.odpm.gov.uk</a>
DEFRA	The Department of Food, Environment and Rural Affairs has published a number of documents on light pollution. These can be found at: <a href="http://www.defra.gov.uk/environment">http://www.defra.gov.uk/environment</a>
Environment Act 1995	Available at the Stationary Office: <a href="http://www.opsi.gov.uk/acts/acts1995/Ukpga_19950025_en_1.htm">www.opsi.gov.uk/acts/acts1995/Ukpga_19950025_en_1.htm</a>

### Useful Contacts

Camden Planning Service [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

The Institution of Lighting Professionals [www.theilp.org.uk](http://www.theilp.org.uk) promotes good practice and excellence in lighting schemes.

The Chartered Institute of Building Services Engineers [www.cibse.org](http://www.cibse.org) provides information on appropriate lighting designs and mechanisms.

## 6 Daylight and sunlight

### KEY MESSAGES:

- We expect all buildings to receive adequate daylight and sunlight.
- Daylight and sunlight reports will be required where there is potential to reduce existing levels of daylight and sunlight.
- We will base our considerations on the Average Daylight Factor and Vertical Sky Component.

6.1 Access to daylight and sunlight is important for general amenity, health and well-being, for bringing warmth into a property and to save energy from reducing the need for artificial lighting and heating. The Council will carefully assess proposals that have the potential to reduce daylight and sunlight levels for existing and future occupiers.

6.2 This guidance relates to:

- Camden Core Strategy policy CS5 - *Managing the Impact of Growth and Development*;
- Core Strategy policy CS14 - *Promoting high quality places and conserving our heritage*; and
- Policy DP26 – *Managing the impact of development on occupiers and neighbours* of the Camden Development Policies.

DP26 sets out how the Council will protect the quality of life of building occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

### **When will a daylight/sunlight report be required?**

6.3 The Council expects that all developments receive adequate daylight and sunlight to support the activities taking place in that building.

6.4 A daylight and sunlight report should assess the impact of the development following the methodology set out in the most recent version of Building Research Establishment's (BRE) "Site layout planning for daylight and sunlight: A guide to good practice". Reports may be required for both minor and major applications depending on whether a proposal has the potential to reduce daylight and sunlight levels. The impact will be affected by the location of the proposed development and its proximity to, and position in relation to, nearby windows.

### WHAT DOES THE COUNCIL REQUIRE?

The Council will require a daylight and sunlight report to accompany planning applications for development that has the potential to reduce levels of daylight and sunlight on existing and future occupiers, near to and within the proposal site.

Daylight and sunlight reports should also demonstrate how you have taken into consideration the guidance contained in the BRE document on passive solar design; and have optimised solar gain. Please refer to the BRE guidance on daylight and sunlight.

- 6.5 While we strongly support the aims of the BRE methodology for assessing sunlight and daylight we will view the results flexibly and where appropriate we may accept alternative targets to address any special circumstances of a site. For example, to enable new development to respect the existing layout and form in some historic areas. This flexible approach is at the Council's discretion and any exception from the targets will be assessed on a case by case basis.

#### Daylight

- 6.6 We will aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers and ensure sufficient daylight to occupiers of new dwellings taking in account overall planning and site considerations. If your proposal will have an unreasonable impact on amenity the planning application will be refused. When assessing daylight issues, we will use the guidelines and methods contained in the BRE's *Site layout planning for daylight and sunlight: A guide to good practice*.
- 6.7 There are two quick methods that can be used to assess access to daylight:

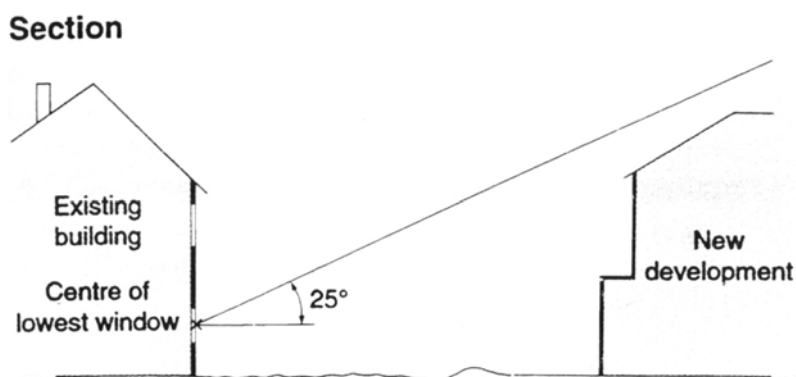
#### Daylight to new development

- project a 25 degree line, starting 2m above ground level from a wall of your proposed development;
- if none of the existing surrounding buildings extend above this line, then there is potential for good daylighting to be achieved in the interior of your new development.

#### Daylight to existing development

- project a 25 degree line from the centre of the lowest window on the existing building;
- if the whole of your new development is lower than this line then it is unlikely to have a substantial effect on the daylight enjoyed by occupants in the existing building.





Source: BRE, Site layout planning for daylight and sunlight: A guide to good practice.

- 6.8 For either test, if buildings extend above the 25 degree line a more detailed test needs to be carried out to fully assess either the loss of daylight in existing buildings or the level of daylight achievable in the new development. The two most common measurements of daylight of the more detailed test are the Vertical Sky Component (VSC) and the Average Daylight Factor (ADF).

**Vertical Sky Component**

The amount of light striking the face of a window

- 6.9 The Vertical Sky Component is expressed as a ratio of the maximum value of daylight achievable for a completely unobstructed vertical wall. The maximum value is almost 40%. This is because daylight hitting a window can only come from one direction immediately halving the available light. The value is limited further by the angle of the sun. This is why if the VSC is greater than 27% enough sunlight should be reaching the existing window. Any reduction below this level should be kept to minimum.
- 6.10 Windows to some existing rooms may already fail to achieve this target under existing conditions. In these circumstances it is possible to accept a reduction to the existing level of daylight to no less than 80% of its former value. Any greater reduction than this is likely to have a noticeable affect on amenity. If this occurs then applications may be refused.

**Average Daylight Factor**

Average Daylight Factor is a measure of the level daylight in a room. It can be used to establish whether a room will have a predominantly daylight appearance. It provides light levels below which a room should not fall even if electric lighting is provided.

- 6.11 The Average Daylight Factor can be used as a measure to determine whether a room will receive adequate daylight (expressed as a percentage). The ADV takes into account the:
- net glazed area of windows;

- the total area of the room surfaces (ceiling, floor, walls, and windows);
  - the average reflectance; and
  - the angle of visible sky.
- 6.12 If a predominately daylit appearance is required, then the daylight factor should be 5% or more if there is no supplementary electric lighting, or 2% or more if supplementary electric lighting is provided. This figure should be as high as possible to enable occupiers to rely on as much natural light and not use artificial lighting, but as a minimum for dwellings the figures should be 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 6.13 These minimum figures may not be applicable when measuring the impact of new buildings on existing dwellings as the simple preservation of minimum ADFs will not necessarily be seen as an indication of acceptability, especially if the VSC demonstrates a significant worsening in daylight levels. For existing dwellings the Council will consider the overall loss of daylight as opposed to the minimum acceptable levels of daylight. As the BRE guidance suggests, the readings will be interpreted flexibly as their aim is to support rather than constrain natural lighting. However, daylight is only one of the many factors in site layout design. Therefore, when applying these standards in Camden, we will take into consideration other site factors and constraints.
- 6.14 The calculation of the VSC and the ADF is complex. For full details on how these calculations are carried out you should refer to the most up to date version the BRE's "Site layout planning for daylight and sunlight: A guide to good practice". For more complex and larger developments we will expect a daylight study to be submitted with the planning application showing the windows that will be affected and provide before development and post development figures for VSC and ADF.
- 6.15 Other methods can be used to measure daylight and these can be incorporated in daylight and sunlight reports, where necessary, as a supplement to VSC and ADF measurements, such as the No Sky Line (NSL) test contained within BRE guidance.

### **Sunlight**

- 6.16 The design of your development should aim to maximise the amount of sunlight into rooms without overheating the space and to minimise overshadowing.

**WHAT DOES THE COUNCIL EXPECT?**

New developments should be designed to provide at least one window to a habitable space facing within 90 degrees of south, where practical. This window should receive at least 25% of Annual Probable Sunlight Hours, including at least 5% of Annual Probable Sunlight Hours between 21 September and 21 March, where possible.

**Annual Probable Sunlight Hours**

The annual amount of sunlight a window receives in an average year.

- 6.17 The BRE's "Site layout planning for daylight and sunlight: A guide to good practice" provides guidance on access to sunlight in relation to:
- site layout, building orientation and overshadowing for new buildings;
  - protecting sunlight to existing buildings, and
  - new and existing gardens and open spaces.
- 6.18 Design for access to sunlight will be specific to the orientation of your site, and the specific design and uses within your proposed development. You should follow the detailed design requirements recommended in the "Sunlighting" section of the BRE document. 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.

**Other considerations****Right to Light**

- 6.19 The right to light is a legal right which one property may acquire over the land of another. If a structure is erected which reduces the light to an unobstructed property to below sufficient levels this right is infringed. A right to light can come into existence if it has been enjoyed uninterrupted for 20 years or more, granted by deed, or registered under the Rights of Light Act 1959. Planning permission does not override a legal right to light, however where a right to light is claimed, this is a matter of property law, rather than planning law. The Council will have no role or interest in any private dispute arising and it will be for the owner or occupier affected to seek a legal remedy.

**Supporting documents**

- 6.20 For further information on daylight and sunlight please refer to:  
Building Research Establishment (BRE). Site layout planning for daylight and sunlight: A guide to good practice.  
Copies of this are available directly from BRE.

BRE Bookshop, 151 Roseberry Avenue, London, EC1R 4GB  
020 7505 6622  
brebookshop@emap.com  
[www.constructionplus.co.uk](http://www.constructionplus.co.uk)

## 7 Overlooking, privacy and outlook

### KEY MESSAGES:

- Development are to be designed to protect the privacy of existing dwellings;
- Mitigation measures are to be included when overlooking is unavoidable;
- Outlook from new developments should be designed to be pleasant;
- Public spaces benefit from overlooking as natural surveillance.

- 7.1 This section aims to ensure that when designing your development you successfully consider the potential impact on the privacy and outlook of neighbouring properties.
- 7.2 This guidance relates to Core Strategy policy CS5 Managing the Impact of Growth and Development and Core Strategy policy CS14 Promoting high quality places and conserving our heritage.
- 7.3 Policy *DP26 – Managing the impact of development on occupiers and neighbours* of the Camden Development Policies outlines how the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

### Overlooking and privacy

- 7.4 Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. Spaces that are overlooked lack privacy. Therefore, new buildings, extensions, roof terraces, balconies and the location of new windows should be carefully designed to avoid overlooking. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The most sensitive areas to overlooking are:
- Living rooms;
  - Bedrooms;
  - Kitchens; and
  - The part of a garden nearest to the house.

### WHAT IS GOOD PRACTICE?

To ensure privacy, there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other. This minimum requirement will be the distance between the two closest points on each building (including balconies).

- 7.5 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. Design measures to reduce the potential for overlooking and the loss of privacy include:

- Careful consideration of the location of your development, including the position of rooms;
- Careful consideration of the location, orientation and size of windows depending on the uses of the rooms;
- Use of obscure glazing;
- Screening by walls or fencing; and
- Screening by other structures or landscaping.

7.6 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.

7.7 Public spaces and communal areas will benefit from a degree of overlooking due to the increased level of surveillance it can provide.

### **Outlook**

7.8 Outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden. How pleasant an outlook is depends on what is being viewed. For example, an outlook onto amenity space is more pleasant than an outlook across a servicing yard. You should design developments so that the occupiers have a pleasant outlook. You should screen any unpleasant features with permanent landscaping.

7.9 When designing your development you should also ensure the proximity, size or cumulative effect of any structures do not have an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers. You should carefully consider the location of bin or cycle stores if they are in close proximity to windows or spaces used by occupiers.

7.10 You should take particular care if your development adjoins properties with a single aspect over your development.

7.11 You should note that the specific view from a property is not protected as this is not a material planning consideration.

### **Further information**

*Better Places to Live: By Design - A companion guide to PPG3* (ODPM) makes number of design recommendations which recognise the importance of privacy in the home.

*Perceptions of Privacy and Density in Housing* report available from Design for Homes; 0870 416 3378 or [www.designforhomes.org](http://www.designforhomes.org). This report highlights some of the issues facing households living at higher densities, and the implications for future design of buildings.

## 8 Construction management plans

### KEY MESSAGES:

- Construction management plans are required for developments that are on constrained sites or are near vulnerable buildings or structures;
- They are essential to ensure developments do not damage nearby properties or the amenity of neighbours.

- 8.1 The purpose of this guidance is to give details on how construction management plans can be used to manage and mitigate the potential impacts of the construction phase of a development.
- 8.2 All construction and demolition work will cause at least some noise and disturbance. Where construction impact is particularly significant Camden will ensure it is managed through a legally binding construction management plan.
- 8.3 This guidance relates to Core Strategy Policy CS5 Managing the impact of growth and development and policies DP20 Movement of goods and materials, and DP26 Managing the impact of development on occupiers and neighbours of the Camden Development Policies.

### When does this guidance apply?

- 8.4 This guidance applies to all development proposals which, having regard to the nature of the surrounding area, are likely to give rise to significant noise and other disturbance during construction. Details on the circumstances in which the Council will expect construction management plans are set out within this guidance.

### How should construction management plans be prepared?

- 8.5 Camden's planning policies make it clear that the effect on local amenity and the highway network from construction and demolition is a material planning consideration. Construction management plans are used to set out the measures a developer should take (both on-site and off-site) in order to reasonably minimise and manage the detrimental effects of construction on local amenity and/or highway safety. Usually Camden will secure construction management plans through a Section 106 Agreement, although sometimes for less complicated schemes they may be secured by using a condition attached to planning permission.
- 8.6 Whilst construction management plans are a 'planning led' document they will incorporate mechanisms controlling planning considerations that overlap with other regulatory regimes (particularly highways and environmental protection). Hence, most construction management plans will be an umbrella document managing all impacts of the demolition, excavation and construction process.



- 8.7 Besides ensuring measures under these different regimes are coordinated in one document, construction management plans represent a proactive way of dealing with construction issues. They encourage developers to work with the Council and local people in managing the construction process with a view to ensuring that problems do not arise in the first place.

**Circumstances Camden will expect a construction management plan**

- 8.8 Whether a construction management plan is required for a particular scheme will be assessed on a case by case basis, although the Council will usually require a construction management plan for larger schemes (i.e. over 10 residential units or 1,000sq m of new commercial floorspace). However, occasionally a relatively large development will have comparatively little impact on its neighbourhood.
- 8.9 Conversely, small schemes on confined or inaccessible sites can have very significant impacts, particularly where the construction process will take place over a number of months (or even years) or outside normal working hours. When assessing smaller developments, special regard should be had to on-site factors that would seriously exacerbate the impact of the development works on the surrounding area. These could include development in residential areas, in close proximity to a school or a care home or very narrow or restricted site access (e.g. development in a mews with no footways). Regard will also be had to the nature and layout of a site. It will be much more difficult to fully absorb or contain the effects of demolition and construction in terms of noise, dust vibration etc within the boundaries of a small constrained site. Furthermore, lack of on-site space for plant, storage of materials and loading and unloading of construction may mean that construction effects will inevitably take place close to the boundary and spill out on to the highway network – a particular issue in much of Camden.
- 8.10 The types of schemes where a CMP will usually be appropriate include:
- Major developments (and some larger scale non major developments);
  - Development where the construction process has a significant impact on adjoining properties particularly on sensitive uses;
  - Developments which give rise to particular 'on-site' issues arising from the construction process (e.g. large scale demolition or complicated or intrusive remediation measures);
  - Basement developments;
  - Significant developments involving listed buildings or adjacent to listed buildings;
  - Developments that could seriously affect wildlife;
  - Developments that could cause significant disturbance due to their location or the anticipated length of the demolition, excavation or construction period;

- Development where site specific issues have arisen in the light of external consultation (where these are supported by objective evidence); and
- Development on sites where constraints arising from the layout or size of the site impact on the surrounding road network.

### **Contents of a construction management plan**

- 8.11 Any construction management plan will manage on-site impact arising from demolition and construction. It will also seek to establish control over construction traffic and how this integrates with other construction traffic in the area having regard to the cumulative effect.
- 8.12 A Section 106 or planning permission securing a construction management plan will contain provisions setting out in detail the measures the final version of the construction management plan should contain. Most construction management plans will be umbrella documents managing all impacts of the demolition, excavation and construction processes. This would include (but is not limited to) issues such as:
- Dust, noise and vibration on site and off site;
  - Traffic management highways safety and highways congestion;
  - Protection of listed buildings (if relevant);
  - Stability of adjacent properties;
  - Protection of any off-site features that may be damaged due to works;
  - Protection of biodiversity and trees; and
  - Preserve the amenity of surrounding residential and other sensitive uses.
- 8.13 A construction management plan is often split into two elements. The first element will be focussed on controlling environmental impacts, pollution and other non-highway related impacts arising from the scheme, having regard to the requirements of the Council's Considerate Contractor Manual and best practice guides from the GLA. In particular this will seek to control hours of operation and monitor and manage air quality, noise, dust and other emissions of other pollutants and location of equipment. The second element will be focussed on traffic control with a view to minimising disruption, setting out how construction work will be carried out and how this work will be serviced (e.g. delivery of materials, set down and collection of skips), with the objective of minimising traffic disruption and avoiding dangerous situations for pedestrians and other road users.
- 8.14 Sometimes the Section 106 will link the construction management plan with a requirement to convene a working group to act as a forum for the developer to meet with local residents and businesses to deal with construction issues as they arise.

- 8.15 Construction management plans will also have to be consistent with any other plans required for the development. For example, a Site Waste Management Plan, which is a legal requirement for works over a certain size which may require the re-use or recycling of materials on-site and therefore the construction management plan will have to reflect that space will be required to sort, store and perhaps crush or recycle materials.
- 8.16 The construction management plan should include the following statement:  
“The agreed contents of the construction management plan must be complied with unless otherwise agreed with the Council. The project manager shall work with the Council to review this construction management plan if problems arise in relation to the construction of the development. Any future revised plan must be approved by the Council and complied with thereafter.”

### **Transport considerations**

- 8.17 The details contained within a construction management plan will relate to the nature and scale of the development, however, in terms of assessing the impact on transport the plan should demonstrate that the following has been considered and where necessary the impacts mitigated:
- a) Start and end dates for each phase of construction;
  - b) The proposed working hours;
  - c) The access arrangements for vehicles;
  - d) Proposed routes for vehicles between the site and the Transport for London Road Network (TLRN). Consideration should also be given to weight restrictions, low bridges and cumulative effects of construction on the highway;
  - e) Sizes of all vehicles and the frequency and times of day when they will need access to the site, for each phase of construction;
  - f) Swept path drawings for any tight manoeuvres on vehicle routes to the site;
  - g) Details (including accurate scaled drawings) of any highway works necessary to enable construction to take place;
  - h) Parking and loading arrangements of vehicles and delivery of materials and plant to the site;
  - i) Details of proposed parking bays suspensions and temporary traffic management orders;
  - j) Proposed overhang (if any) of the public highway (scaffolding, cranes etc);
  - k) Details of any temporary buildings outside the site boundary, or overhanging the highway;
  - l) Details of hoardings required or any other occupation of the public highway;

- m) Details of how pedestrian and cyclist safety will be maintained, including any proposed alternative routes (if necessary), and any banksman arrangements;
- n) Details of how traffic associated with the development will be managed in order to reduce congestion;
- o) Arrangements for controlling the movements of large/heavy goods vehicles on and in the immediate vicinity of the site, including arrangements for waiting, turning and reversing and the provision of banksmen, and measures to avoid obstruction of adjoining premises.
- p) Details of any other measures designed to reduce the impact of associated traffic (such as the use of construction material consolidation centres);
- q) Details of how any significant amounts of dirt or dust that may be spread onto the public highway will be cleaned or prevented;
- r) Details of any Construction Working Group that may be required, addressing the concerns of surrounding residents, as well as contact details for the person responsible for community liaison on behalf of the developer, and how these contact details will be advertised to the community;
- s) A statement confirming registration of the site with the Considerate Constructors Scheme;
- t) How the servicing approach takes into consideration the cumulative effects of other local developments with regard to traffic and transport;
- u) Provision for monitoring of the implementation of the CMP and review by the council during the course of construction works;
- v) Any other relevant information with regard to traffic and transport; and

#### **Air quality and climate change considerations**

8.18 A method statement should be prepared and adopted as part of the construction management plan to minimise gaseous and particulate matter emissions generated during the Construction Phase. The following best practice measures shall be included in the method statement:

- Techniques to control PM<sub>10</sub> and NO<sub>x</sub> emissions from vehicles and plant;
- Techniques to control dust emissions from construction and demolition;
- Air quality monitoring; and
- Techniques to reduce CO<sub>2</sub> emissions from construction vehicles.

#### **How will we secure construction management plans?**

8.19 Generally a Section 106 agreement (rather than a condition) is the most appropriate mechanism for securing a construction management plan. For larger schemes or developments on constrained sites within heavily

built-up areas where building activities could materially affect the highway construction management plans will always be secured through Section 106s. While the use of conditions is normally preferred to Section 106 Agreements, conditions can only be used to control matters on land within the developer's control. The range of matters typically covered by a CMP, particularly in relation to highways, mean that a Section 106 Agreement will be necessary in most cases.

- 8.20 The level of detail contained in a typical Section 106 also lends itself to the tailored, site-specific approach Camden uses for construction management plans. However, the use of a condition to secure a construction management plan may be sufficient for sites where the building activities associated with the build out can be totally accommodated within the site itself, particularly where these are smaller schemes.

## 9 Access for all

### KEY MESSAGES:

- Well designed, accessible buildings and spaces ensure that local services and facilities are accessible to everyone and increase equality of opportunity and social inclusion. We will seek to ensure the highest standards of access and inclusion in Camden's built environment and public realm.
- We expect all development of buildings and places, including changes of use and alterations to or refurbishment of existing buildings where practical and reasonable, to be designed to be accessible and useable by all to promote equality of opportunity.
- Access should be considered at the beginning of the design process.

- 9.1 A successfully accessible and inclusive environment is one that everyone can benefit from by being able to move freely, independently and uninhibited within the built environment regardless of age or disability.
- 9.2 This guidance applies to all development in Camden that may affect the accessibility of buildings and spaces.
- 9.3 All new developments should incorporate a suitable level of access for everyone and be inclusively designed.
- 9.4 Changes of use, alterations and extensions to existing buildings and spaces should, where practicable and reasonable, be designed to improve access for all.
- 9.5 The planning system is not able to require existing buildings or areas to retrospectively improve access where alterations are not being made.
- 9.6 For developments involving housing, reference should also be made to Camden Development Policies policy DP6 – *Lifetime homes & wheelchair housing* and Camden Planning Guidance on Lifetime homes and wheelchair housing. The accessibility needs are lower for certain sectors of the population, such as students, and so the Council will assess each development proposal on its own merits to determine a suitable level of accessible accommodation to be provided.
- 9.7 Guidance on the provision of parking spaces for drivers with disabilities is contained in Camden Planning Guidance on Vehicle access.
- 9.8 This guidance provides general advice on accessibility and advises on further sources of more detailed information. In particular this guidance relates to Core Strategy policy CS14 - *Promoting High Quality Places and conserving our heritage*; CS6 - *Providing quality homes* and policy DP29 - *Improving access* of the Camden Development Policies.
- 9.9 It is more effective to consider access arrangements from the beginning of the design process as they are an integral aspect of building design.

Overcoming access barriers at a later stage in the project can result in a building or space that is not inclusive and may be inaccessible to many people.

- 9.10 Applicants are advised to consult the Council's Building Control Service at an early stage in the formulation of development proposals to ensure conformity with the relevant requirements relating to access. Satisfying some of the requirements of Part M of the building regulations can affect the size and design of the building and needs to be taken into account at the early design stage.
- 9.11 The following table sets out four key principles which, if put together successfully, should help create an accessible environment:



## Principles of access

Key Principle	Features to be considered
1. Approach  Parking	<ul style="list-style-type: none"> <li>• Level or adequately ramped</li> <li>• Sufficient width and obstacle free</li> <li>• Firm, durable, slip resistant surfaces</li> <li>• Well lit and clearly identified</li> <li>• Dropped kerbs with tactile surfaces</li> <li>• Contrasting colour on bollards and street furniture</li> <li>• Suitably designed and marked spaces</li> <li>• Spaces as close as possible to all accessible entrances</li> <li>• Dropped kerbs onto a level obstruction free route to the accessible entrance</li> <li>• Appropriately located and signed dropping off point</li> </ul>
2. Entrances  Lobbies  Receptions	<ul style="list-style-type: none"> <li>• Level or adequately ramped and stepped if necessary with appropriately designed handrails</li> <li>• Ramped gradients as shallow as possible</li> <li>• Level area in front of the door</li> <li>• Level threshold</li> <li>• Canopy over manual doors</li> <li>• Easy to open doors</li> <li>• Provision of electronic entrance doors</li> <li>• Sufficiently wide doors</li> <li>• Doors to have contrast.</li> <li>• Need to be of a size and shape to allow a wheelchair user to move clear of one door before opening the second door</li> <li>• Floor surface that does not impede movement, avoid dips or changing surfaces, including mats</li> <li>• Provide hearing enhancement systems and lowered wheelchair accessible counters.</li> <li>• Should be easily identifiable</li> </ul>
3. Levels  Circulation	<ul style="list-style-type: none"> <li>• Provide a lifting device and suitable stairs to all storeys above and below ground</li> <li>• Ramps for internal changes within a storey</li> <li>• Any raised areas to be accessible to everyone</li> <li>• Adequately wide corridors.</li> <li>• Sufficiently wide doors</li> <li>• Clear, well lit signs</li> <li>• Colour contrast within the building</li> <li>• Corridors free of obstructions</li> </ul>
4. Facilities	<ul style="list-style-type: none"> <li>• Adequate provision of wheelchair accessible unisex toilets</li> <li>• Provision of an enlarged cubicle in separate sex toilets</li> <li>• Where shower and changing facilities are included provide wheelchair accessible facilities</li> <li>• Provision of wheelchair accessible hotel bedrooms</li> <li>• Appropriately designed sockets and switches</li> </ul>

### Additional information

- 9.12 Level access should be provided to the principal entrance in all developments, and is a requirement for all new dwellings. Any new works must not make access any worse than what may have previously existed, in line with Approved Document M of the Building Regulations.
- 9.13 The design of routes around buildings should be clear and free from obstruction, especially to the entrance. Any obstructions should be made clear and avoidable, for example by changes in surface texture.
- 9.14 The above access principles apply mainly to non-residential developments – although the first two will also be applicable to residential developments. In the case of residential development, proposals must meet Lifetime Home Standards as set out in policy *DP6 – Lifetime Homes and wheelchair homes* of the Camden Development Policies. Reference should also be made to Camden Planning Guidance 2 and the section on Lifetime Homes and wheelchair housing.

### Design and Access Statements

- 9.15 A Design and Access Statement is a short written and illustrated report which accompanies and supports a planning application. It explains the thinking behind a design and its context in a proposal in a structured way. A Design and Access Statement should:
- Show how the applicant has analysed the site, its setting, and as a result of this assessment, formulated and applied design principles to achieve a good, inclusive design for buildings and public spaces;
  - Include the specific needs of disabled people, by showing how they have been integrated into the proposed development, and how inclusion will be maintained and managed; and
  - Be flexible, adaptable and be able to change with the design of the proposal should any amendments or changes occur.
- 9.16 The level of detail appropriate in an access statement will depend on the size, nature and complexity of the proposal, as a minimum, all should include:
- A short illustrated statement setting out the site and context appraisal, the purpose of the proposed development, a list of design principles and a description of the proposal explaining how the design responds to the appraisal and design principles;
  - A plan of the site, surrounding area or natural form and key features as identified in the appraisal;
  - Annotated sketches and photographs;
  - Important elements of the context that inform the design principles;
  - Plans and elevations of the proposal;
- 9.17 The following points should be taken into account when preparing a Design and Access statement:

- A brief explanation of the applicant's approach to access, with particular reference to the inclusion of disabled people;
- A description of how the sources of advice on accessibility and technical issues will be, or have been, followed;
- Details of any consultations undertaken or planned, including the number of users, particular user need groups (for example, visually impaired, deaf or hard of hearing, ethnic groups, people with learning disabilities and mental health) and the degree to which the process has been influenced by it;
- Details of any professional advice that has been followed, or will be sought, including recommendations from access audits or appraisals;
- An explanation of any specific issues affecting accessibility to, or within, the particular environment being considered, and/or service provision, employment or educational opportunities.
- Details of access solutions adopted to overcome any issues, including those which deviate from recognised good practice;
- Details of the management and maintenance practices adopted, or to be adopted, to maintain features enhancing accessibility (for example, lighting, colour and luminance contrast, door closing forces etc), specialist equipment (for example, induction loops, audible and visual fire alarm systems etc), and staff training; and
- A plan illustrating features such as routes in, out and around the outside of the building, vertical and horizontal circulation routes, positions of accessible car parking bays, the location of public transport, and any other features relevant to the proposal.

9.18 Where good practice cannot be met, the Access Statement should say why this is the case, set out the implications for users, and explain what other measures are being taken to ensure access is provided to the facilities available. See Further Information at the end of this section for links to more detailed guidance.

### **Listed buildings**

- 9.19 Design and access statements are also required for a listed building consent. Where a planning application is submitted in parallel with an application for listed building consent a single combined statement can be submitted which should address the requirements for both.
- 9.20 Measures to facilitate dignified and easy access to and within listed buildings can often be sensitively incorporated without damage to their special architectural or historic interest. However, the Disability Discrimination Act 1995 does not override other legislation such as listed building or planning legislation. Listed Building Consent will almost always be required for works to improve access and in formulating proposals; applicants are encouraged to undertake early discussions with the Council.

- 9.21 English Heritage has produced guidance on this topic titled Easy Access to Historic Buildings (see Further Information for the link). Additional information is also contained in Circular 01/06.

**Other considerations**

- 9.22 Applicants should note that Design and Access Statements differ from the requirements for Access statements set out in Approved Document M of the Building Regulations, which are only required when specific building control regulations can not be met. Approved Document M of the Building Regulations sets out the requirements to ensure access to and use of a building's facilities are accessible to all.
- 9.23 It may also be appropriate to combine the Design and Access Statements with other statements requested in other sections of Camden Planning Guidance, provided that the requirements of all such statements are adequately addressed.
- 9.24 Part 3 of the Disability Discrimination Act 1995 gives disabled people a right of access to goods, facilities and services. This requires service providers to:
- Alter a barrier feature so that it no longer has effect;
  - Provide a reasonable means of avoiding that feature; or
  - Provide a reasonable alternative method of making the service available.
- 9.25 These requirements apply to all buildings where services are provided to the public and to transportation infrastructure.

## Further information

Design and Access Statements	<p>Department for Communities and Local Government (March 2010) Guidance on information requirements and validation:  <a href="http://www.communities.gov.uk/publications/planningandbuilding/validationguidance">www.communities.gov.uk/publications/planningandbuilding/validationguidance</a></p> <p>ODPM publication: Planning and Access for Disabled People: A Good Practice Guide  <a href="http://www.communities.gov.uk/publications/planningandbuilding/planningaccess">www.communities.gov.uk/publications/planningandbuilding/planningaccess</a></p> <p>Department for Communities and Local Government Circular 01/2006: Guidance on Changes to the Development Control System: Section 3 provides guidance on the legislative position and information required  <a href="http://www.communities.gov.uk/publications/planningandbuilding/circularcommunities2">www.communities.gov.uk/publications/planningandbuilding/circularcommunities2</a></p> <p>The Commission for Architecture and the Built Environment (CABE) 'Design and access statements: how to write, read and use them'  <a href="http://www.cabe.org.uk">www.cabe.org.uk</a></p> <p>Mayor of London's Supplementary Planning Guidance: Accessible London: Achieving an Inclusive Environment  <a href="http://legacy.london.gov.uk/mayor/strategies/sds/docs/spg_accessible_london.pdf">http://legacy.london.gov.uk/mayor/strategies/sds/docs/spg_accessible_london.pdf</a></p>
Access and the historic environment	<p>English Heritage have published guidance on 'Easy Access to Historic Landscapes' and 'Easy Access to Historic Buildings' which can be found on their website at:  <a href="http://www.english-heritage.org.uk/publications/easy-access-to-historic-buildings/">www.english-heritage.org.uk/publications/easy-access-to-historic-buildings/</a></p>
Lifetime Homes and wheelchair housing standards	<p>Lifetime Homes  <a href="http://www.lifetimehomes.org.uk">www.lifetimehomes.org.uk</a></p> <p>Accessible London: Achieving an Inclusive Environment, GLA (April 2004)</p>



## 10 Wind and micro-climate

### KEY MESSAGES:

- Buildings taller than their surroundings may cause excessive wind in neighbouring streets and public areas.
- New developments should consider the local wind environment, local temperature, overshadowing and glare, both on and off the site.
- Where poor wind conditions already exist reasonable attempts must be made to improve conditions generally.

- 10.1 The construction of a building changes the microclimate in its vicinity. Micro-climate refers to local conditions including wind, temperature, overshadowing, access to daylight and general comfort. In particular high-rise buildings can cause high wind velocities at pedestrian level which can create an uncomfortable environment and can even be dangerous. Therefore, the design of your building should not only focus on the building envelope and on providing good indoor environment, but should also include the effect of the design on the surrounding outdoor environment.
- 10.2 The purpose of this guidance is to ensure that appropriate standards are met in the design of buildings and outdoor features to ensure that suitable wind safety and comfort levels are achieved.
- 10.3 This guidance relates to Core Strategy CS14 - *Promoting high quality places and conserving our heritage* and policy DP24 - *Securing high quality design* of the Camden Development Policies.

### When does this guidance apply?

- 10.4 This guidance applies to all development that has the potential to change their environment with regard to wind and micro-climate, whether new build or extension. However, the implications for a proposal will vary greatly depending on the nature of the site, the scale of development, its interaction with surrounding sites, and existing buildings and structures on the site.



**DEVELOPMENTS LARGE ENOUGH TO CHANGE THEIR LOCAL ENVIRONMENT WILL INCLUDE:**

- New or modified buildings that are 18 metres or 5 storeys higher than any surrounding building;
- Significant modifications to the built environment in areas of quantifiable and recognised existing wind nuisance;
- Major proposals adjacent to or incorporating a significant area of public or outdoor space;
- Developments with a large amount of glazing or dark masonry surfaces; or
- A combination of new or modified buildings that cumulatively, will significantly change the wind environment.

**Wind environment around buildings**

- 10.5 Buildings taller than their surroundings may cause excessive wind in neighbouring streets and public areas. Environmental winds are primarily driven by building massing and should be considered at the early design stages, when changes to achieve design objectives can be made most easily.
- 10.6 We will expect you to consider the local wind environment when designing your scheme, both on and off the site. Where poor wind conditions exist in the area prior to development, a reasonable attempt must also be made to improve conditions in general.

**What information should I provide?**

- 10.7 Relevant developments are expected to use the Lawson Comfort Level Ratings (set out below). Areas that must be considered are:
- public and private open spaces on and adjacent to the site;
  - outdoor areas on upper levels of the development;
  - entrance and exit areas;
  - shop windows;
  - bus stops;
  - outdoor dining areas;
  - thoroughfares; and
  - pedestrian crossing points.

- 10.8 The Lawson Criteria are used throughout the UK to assess local wind environments and are a widely accepted assessment tool.

**The Lawson Comfort Criteria**

The Lawson Comfort Criteria is a scale for assessing the suitability of wind conditions in the urban environment based upon threshold values of wind speed and frequency of occurrence. It sets out a range of pedestrian activities from sitting through to crossing the road and for each activity defines a wind speed and frequency of occurrence. If the wind conditions exceed the threshold then the conditions are unacceptable for the stated activity.

**Figure 1. Lawson Comfort Level Rating**

<b>Lawson Comfort Level Rating</b>	<b>Predominant activity</b>	<b>Mean hourly wind speed exceeded less than 5% of the time</b>
C4 - Long term "Sitting"	Reading a newspaper and eating and drinking	4m/s
C3 - "Standing" or short term sitting	Appropriate for bus stops, window shopping and building entrances	6m/s
C2 - Pedestrian Walking or "Strolling"	General areas of walking and sightseeing	8m/s
C1 - Business "Walking"	Local areas around tall buildings where people are not expected to linger	10m/s

- 10.9 If this applies to your development your planning application should be accompanied by qualitative wind impact statement, prepared by a suitably qualified professional (i.e. wind engineer or similar).
- 10.10 You must firstly carry out a qualitative wind impact assessment. If the results of this show potential negative impacts you will also need to carry out a quantitative assessment. Both assessments must be submitted with your planning application. Your assessment must provide detailed information on how the proposal meets the criteria in the guidance, using quantitative measures (i.e. evidence of wind tunnel testing or similar).

**Your Wind Impact Statement must:**

- Show how the proposal is expected to affect the local wind environment;
- Describe how the proposal has addressed the local wind environment;
- Include reference to specific features of the site or the development that make a contribution to the wind environment, either positively or negatively, and highlight areas of concern; and

- Reference the proposal's ability to meet the targets of this guidance, and make recommendations regarding the necessity for additional work, as described below.

**Your Wind Impact Statement should:**

- Compare existing and proposed conditions against the Lawson Comfort Criteria in both summer and winter conditions;
  - Demonstrate how the proposal has adapted to the local wind environment;
  - Reference specific features of the site or the development that make a contribution to the wind environment, both positively or negatively;
  - Highlight areas of concern, and
  - Describe the proposal's ability to adhere to the guidance.
- 10.11 If your proposal does not achieve the targeted ratings or outcomes you must provide sound justification to demonstrate, to the satisfaction of the Council, why your proposal cannot meet the targets. This justification should be prepared in conjunction with, and endorsed by your wind engineer, and must include evidence of the attempts that have been made to address design deficiencies.
- 10.12 If your proposal does not satisfactorily meet the criteria, and you have not provided justification, your proposal may be refused.
- 10.13 A condition may be imposed to secure the achievement of wind speed(s) around the building no greater than those predicted. The Council may require alterations or other remedial measures at the developer's expense if wind speed targets are not met.

**Other considerations relating to the wind environment**

- 10.14 Your development must not compromise the viability of wind-driven renewable energy generators on adjacent and nearby sites. Where wind-driven energy generators are likely to be significantly affected, you are responsible for ameliorating the loss by moving, modifying or replacing the installation, or by incorporating equivalent renewable energy generation within your site.
- 10.15 Where a development affects the viability of an existing wind-driven renewable energy generator, and the solution is to modify the installation off-site, all approvals, expenses and risks are the responsibility of the applicant. This requirement will be incorporated as a condition or in a S106 agreement relating to any approval. Where additional renewable energy capacity is to be installed on site, this will be assessed in conjunction with other renewable energy installations. (Note: additional capacity that is gained by installations off-site should be credited toward the onsite requirement for the development)
- 10.16 Wind environment also impacts on natural ventilation systems. Natural ventilation must also be considered in building design.

## Other influences on micro-climate

### Local heat

- 10.17 Local air temperature can be affected by your building's ability to absorb heat during the day and release it at night. This cumulative effect of this happening across London results in the urban heat island effect. We strongly encourage green roofs, brown roofs, green walls and soft landscaping in all developments to reduce this affect. You can also consider light coloured building materials so unnecessary heat is not absorbed by your building. See Camden Planning Guidance 3 – Sustainability for further guidance on these issues.

### Overshadowing

- 10.18 You should consider the design of your proposal carefully so that it does not overshadow windows to habitable rooms or open spaces and gardens. This may be particularly difficult in central London. However, it will be particularly important in Central London to prevent overshadowing of amenity space and open spaces given the limited amount of open spaces and the existing amount of overshadowing.

### Glare

- 10.19 Glare is uncomfortably bright sunlight reflected from a building façade. It is generally caused by tall, fully glazed and sloping facades with reflective finishes that reflect the sun. Tall buildings should be designed to avoid this and use materials that do not result in glare.

### Further information

General guidance on design principles	By Design: Urban Design in the Planning System – Towards Better Practice, DETR/CABE, 2000
Tall buildings	Guidance on tall buildings, English Heritage/CABE, 2007
Urban design in relation to the historic environment	Understanding Place, English Heritage 2010; and Building in Context, English Heritage/CABE, 2002



## 11 Open space, outdoor sport and recreation facilities

### KEY MESSAGES:

- If your scheme is over a certain size it is expected to make a contribution towards the provision of public open space in the borough;
- Our priority is for the provision of public open space on-site, therefore it is important this is taken into account at the design stage of your scheme;
- Other forms of public open space contributions could be provision off-site or as a payment in lieu.

- 11.1 This guidance gives details of how the Council expects development to provide for a variety of public open space, outdoor sport and recreation facilities. It sets out:
- Which developments are expected to make provision for open space, outdoor sport and recreation opportunities;
  - The amount of open space we expect;
  - The type of open space and outdoor sport and recreation facilities we expect;
  - How we will calculate the open space expected for a specific development; and
  - The Council's priorities for how open space, outdoor sport and recreation facilities will be provided.

- 11.2 This guidance primarily relates to:

#### Core Strategy Policies:

- CS5 – Managing the impact of growth
- CS15 – Protecting and improving our parks and open spaces and encouraging biodiversity

#### Development Policies:

- DP26 – Managing the impact of development on occupiers and neighbours
- DP31 – Provision of, and improvements to, open space and outdoor sport and recreation facilities.

### **Which developments are expected to contribute towards open space, outdoor sport and recreation facilities?**

- 11.3 As set out in paragraph 31.6 the Camden Development Policies document you will need to make a contribution to the provision of these facilities in the borough if your development falls within the following categories:

- Five or more additional dwellings;
- Student housing schemes creating an additional 10 or more units/rooms or occupiers; and
- Developments of 500sq m or more of any floorspace that are likely to increase the resident, worker or visitor populations of the borough.



### How much open space do we expect?

- 11.4 Development Policy *DP31 – Provision of, and improvements to, open space and outdoor sport and recreation facilities* sets out the amount of open space to be provided by developments as follows:

**Figure 2. Amount of open space to be provided by land use**

Development type	Open space provision
Residential (all types)	9 sq m per occupier
Commercial development	0.74 sq m per worker

- 11.5 Non-residential developments for higher education are considered to generate requirements per occupier (including employees and students) at the same rate as commercial developments.

### What types of open space, outdoor sport and recreation facilities will we expect?

- 11.6 Open space standards relate specifically to public open space. The Council acknowledges the private amenity space and other private open land can reduce pressure on the use of public open space. However public open spaces provide opportunities for social interaction and a focus for community activities. Private spaces cannot be used as a substitute for public open space.



- 11.7 Public open space includes a wide variety of different facilities that are available to the public:
- Green amenity spaces, including natural and semi-natural spaces;
  - Active spaces for outdoor sport and recreation and for children’s play; and
  - Civic spaces.
- 11.8 Green amenity spaces can be formal or informal parks and gardens or other landscaped areas, which provide areas of passive recreation for all age groups and attractive green areas within the urban environment. They are intended to be attractive spaces for people to enjoy using or viewing. This type of open space can include areas of natural or semi-natural green spaces, which support wildlife conservation and biodiversity and promote environmental education and awareness.
- 11.9 Active spaces are areas of grassed or artificial surfaces providing opportunities for sport and recreation together with ancillary facilities such as changing rooms and flood lighting. These include playing pitches, courts, greens, athletic tracks and Multi Use Games Areas (MUGAs). Formal recreation areas may be stand-alone facilities or may form part of a larger open space (e.g. the tennis courts and bowling greens at Hampstead Heath).
- 11.10 Civic spaces are hard surfaced areas designed for pedestrians, such as piazzas, which often provide a setting for civic buildings.
- 11.11 Given the amount of hard surfaces in Camden, our priority will generally be for green spaces, especially in the south of the borough. Paragraphs 11.12 to 11.17 give more details of specific types of public open space.

### **Children’s play space and young people’s recreation space**

- 11.12 These are formal or informal areas designed to engage children or young people. Formal spaces are designated areas for children and young people containing a range of facilities and an environment that has been designed to provide focused opportunities for outdoor play. There are three categories of formal children’s play space defined by the National Playing Fields Association (NPFA).
1. LAP - Local Area for Play;
  2. LEAP - Local Equipped Area for Play;
  3. NEAP - Neighbourhood Equipped Area for Play.
- 11.13 Informal spaces are less well defined areas and can be incorporated into smaller spaces such as local footpaths where wide enough or town centre spaces. It involves incorporating features that children can play with such as fountains or objects to climb.
- 11.14 Contributions to children’s play space and young people’s recreation space can include formal and informal areas. We must be satisfied that any informal space has been sufficiently designed to meet the requirements of children and young people.

### **Natural and semi-natural green spaces**

- 11.15 These include sites and areas formally recognised for their nature conservation value such as Sites of Special Scientific Interest, Sites of Nature Conservation Importance and Local Nature Reserves as well as other areas with biodiversity such as gardens, parks and open spaces.
- 11.16 In exceptional circumstance, generally in areas deficient in nature conservation sites, we may consider the inclusion of a biodiverse green roof, brown roof or green wall as a contribution towards natural and semi-natural green spaces in the borough. For more information about areas of deficiency please see Appendix A to this section. For more information about green roofs, brown roof and green walls please see Camden Planning Guidance 3 – Sustainability.

### **Allotments and Community Gardens**

- 11.17 Allotments and community gardens provide opportunities for people to grow food as part of the long term promotion of sustainability, health and social inclusion.

### **What type of open space, outdoor sport and recreation facilities are expected for specific development types?**

- 11.18 For this guidance, and in line with *Camden's Open space, Sport and Recreation Study Update 2008* we have identified the following five broad categories of open space:
- Public amenity open space;
  - Children's play space and young people's recreation space;
  - Natural and semi-natural green space;
  - Allotments and community gardens; and
  - Outdoor sport and recreation.
- 11.19 We recognise that not every type of development will generate a need for all types of open space, outdoor sport and recreation facilities. For example, housing for older people will not generate demand for children's play space. Figure 3 sets out the types of open space that are likely to be needed for various types of development.

**Figure 3. Type of open space to be provided by development**

	Amenity open space	Children's playspace	Natural green-space	Outdoor sport facilities	Allotments / Community gardens
Self-contained homes (Use Class C3)	✓	✓	✓	✓	✓
Student housing	✓	x	✓	✓	x
Housing for older people	✓	x	✓	x	✓
Commercial	✓	x	✓	✓	x

Source: adapted from Camden Open Space, Sport and Recreation Study Update 2008.

- 11.20 The requirement for 9 sq m of public open space per residential occupier and 0.74 sq m of public open space per employee/ student (commercial/ higher education developments) should generally be divided into different types of open space approximately as set out in Figure 4.
- 11.21 In Camden the potential to add to outdoor sports facilities for adults is limited. Provision for outdoor sports will be sought within the overall requirement of 9 sq m per residential occupier where an opportunity for provision arises. Where a development provides public facilities for outdoor sports these will reduce the requirement for other types of open space.
- 11.22 The Camden Open Space, Sport and Recreation Study Update 2008 derived a separate standard for allotments of 0.9 sq per residential occupier. The study indicated that additional space to grow food could only be provided by taking a flexible approach including community gardens, roof gardens, temporary use of vacant sites and converting parts of existing open spaces. Although the standard is not included within the 9 sq m overall requirement, paragraph 31.7 of the Camden Development Policies document indicates that allotments and community gardens are a Council priority. Provision will be sought wherever an opportunity arises, and will be considered to reduce the requirement for other types of open space.

**Figure 4. Break down of open space by type of provision  
Residential Developments (all types)**

Type of open space	Provision per adult	Provision per child
Amenity open space	5 sq m	4 sq m
Children's playspace (where applicable)		2.5sq m
Natural green space	4 sq m	2.5 sq m

**Commercial / higher education (non-residential)**

Type of open space	Provision
Amenity open space	0.4 sq m per person
Natural green space	0.34 sq m per person

**How we will calculate the open space expected for a specific development**

- 11.23 Figure 5 below shows the figures we will use to assess open space requirements for individual residential, commercial and higher education developments. The figures are based on the break down of open space requirements in Figure 4 and the occupancy rates recommended by the Camden Open Space, Sport and Recreation Study Update 2008. The occupancy rates are given in Appendix B to this section.

**Figure 5. Open space required for specific developments**

Self-contained homes in Use Class C3	Amenity open space	Children's play space	Natural green space	Total
One bedroom home	6.5 sq m		5.2 sq m	11.7 sq m
Two bedroom home	9.2 sq m	0.6 sq m	7.2 sq m	17.0 sq m
Three bedroom home	12.8 sq m	2.9 sq m	9.5 sq m	25.2 sq m
Four bedroom home	14.1 sq m	3.6 sq m	10.2 sq m	27.9 sq m
<b>Student housing, hotels and hostels</b>				
Single room	5.0 sq m		4.0 sq m	9.0 sq m
Double room	10.0 sq m		8.0 sq m	18.0 sq m
<b>Commercial/ higher education development</b>				
Per 1,000 sq m gross external area	21.6 sq m		17.9 sq m	38.9 sq m

- 11.24 Appendix D sets our worked examples showing the open space required for a number of different development types and sizes.

## **How public open space will be provided**

11.25 There are three ways in which you can make a contribution to public open space in Camden:

1. On site provision of new public open space;
2. Off site provision of new public open space;
3. Providing a financial contribution in lieu of direct provision.

### **On site provision of new public open space**

11.26 If your development is located in an area deficient in public open space or with an under provision of public open space we expect provision of new public open space on the development site (see Appendix A to this section and Core Strategy Map 7). This is in accordance with paragraph 31.7 of the Camden Development Policies document. Paragraph 31.7 and accompanying Table 1 also set out other developments that are expected to provide open space on-site. Some on-site provision is expected for residential development adding 60 or more homes and commercial development adding 30,000 sq m or more.

11.27 The amount and type of public open space that can be achieved on-site will be determined by the size of the site. Where children's play facilities are required as a result of the development, priority should be given to the provision of these facilities. On sites already covered by development, and where appropriate access may have to be restricted to the occupiers of the building, the provision of a roof garden as a contribution to public open space may be considered. If a roof garden is to be considered as public open space, as a minimum it should be able to be used by all the occupants of the building.

11.28 Any new public open space that is provided as part of your development should be:

- Large enough to cater effectively for the intended users;
- Designed to be fully accessible, where possible;
- Designed in consultation with the Council's Open space team; and
- Practical to maintain.

11.29 Where you are required to make a contribution to public open space we will ensure that the type of open space you provide best meets the needs of the occupiers or users of the development. You should consider designing your open space carefully to enable different types of open space to be located together or adjacent to each other to complement the overall provision of open space, sport and recreation opportunities.

11.30 We will expect new open space provision to be publicly accessible, however in exceptional circumstances, for example where an existing open space is in private ownership or already has restricted access we may accept an alternative access arrangement.

### **Off site provision of new public open space**

- 11.31 Where a site cannot provide public open space on-site, the preferred option will be provision of new suitable open space off-site. Once again this is especially important where a site does not have access to existing open space in accordance with the distance thresholds (see Appendix A to this section). The new provision should be within the distance threshold for the type of public open space to be provided. For example, if a developer is to provide a children's play area of 100 sq m this should be provided within 50 m walking distance of the development, if amenity open space is to be provided, this should be a maximum of 280 m from the development. If the developer is to provide for a new formal recreation area such as a multi-use games area, this should be provided within 1,200 m of the development.
- 11.32 We will accept the provision of public access to an existing open space that currently has restricted access as a contribution to off-site public open space provision.

### **Providing a financial contribution in lieu of direct provision**

- 11.33 The Council may agree to accept financial contributions in place of direct provision of new public open space where the development site is too small to incorporate on-site open space and the densely built up character of Camden prevents direct provision of off-site public open space. Financial contributions may be used for:
- The creation of an area of public open space, including buying additional land or leasing it at a nominal rate;
  - Improving access to existing public open space;
  - Opening up access to existing private open space;
  - Fit out of a new or existing open space, or some elements of the open space; and
  - Qualitative improvements to existing open space.
- 11.34 Financial contributions may be pooled to create, fit out, improve or provide access to open space. For example, where the Site Allocations Document indicates that new public open space is required on a development site, contributions from other developments within 280 m may be pooled to facilitate the creation of the new public open space.
- 11.35 Financial contributions are calculated on the basis of the costs and requirements set out in Figure 6.. We will aim to spend the collective amount in the proportions set out in Figure 6 and within the same ward as the contributing development where possible. However individual financial contributions will be spent on priorities identified in:
- Camden's open space, sport and recreation study update 2008;
  - Camden's open space strategy;
  - Camden's biodiversity action plan;
  - Camden's play strategy;
  - Camden's sport strategy;

- Individual park management plans.

11.36 A financial contribution is based on the:

- Capital cost of providing new public open space;
- Cost of maintenance for the first 5 years; and
- Cost for the open space team to administer the contribution and design schemes.

**Figure 6. The financial contributions**

	<b>Capital cost</b>	<b>Maintenance</b>	<b>Design and admin</b>
<b>Self-contained homes in Use Class C3</b>			
One bedroom home	£385	£386	£46
Two bedroom home	£663	£561	£80
Three bedroom home	£1,326	£832	£159
Four bedroom home	£1,537	£921	£184
<b>Student housing, hotels and hostels</b>			
Single room	£297	£297	£37
Double room	£593	£594	£71
<b>Commercial/ higher education development</b>			
Per 1,000 sq m	£1,265	£1,284	£152

- 11.37 These aggregate contributions are based on provision of public open space, natural green space and (where applicable) children's play space. Specific contributions to allotments and community gardens and to outdoor sport and recreation provision will be sought on a case by case basis depending on whether there are opportunities to add to provision or are local facilities that need to be maintained.
- 11.38 The calculation of the aggregate contributions is set out in Appendix C to this section. Appendix C includes break down of the capital cost by open space type. This may be needed for developments where a proportion of the open space requirement is met on site or where adequate open space of some types is already available locally.
- 11.39 Payments for maintenance and design and administration are explained in paragraphs 11.45 to 11.50. They have not been aggregated with capital costs as payments will sometimes be required need to be calculated separately (eg where open space will be provided by the developer but maintained by the Council. The Council may also wish to draw separately on funds for capital works, funds for maintenance and funds for design and administration.
- 11.40 The contributions may be adjusted upwards or downwards according to the particular circumstances of the development. They provide a starting



point for negotiations between the Council and developers. The scale of financial contributions will be reviewed and updated as appropriate.

- 11.41 Appendix D to this section sets out worked examples showing the contributions required for a number of different development types and sizes.

### **Providing a combination of open space provisions**

- 11.42 Your development may contribute to public open space through one of the ways listed above or by a combination of them. To determine the amount and type of public open space you are expected to provide, either on-site or off-site we will consider the:

- Type and size of the existing public open space provision within the distance threshold of your development; and
- Size and likely users of your development.

- 11.43 For example, if you propose a residential development located within 280 m of a small local park you may not be required to contribute to amenity open space, but may still be required to contribute to children's play facilities or a formal recreation area if suitable facilities do not exist within the distance threshold of the development.

- 11.44 In all cases a legal agreement will be required to secure the ongoing use of the open space provided as public open space, or to secure the financial contribution in lieu of direct provision.

### **Maintenance**

#### **On or off-site provision**

- 11.45 Where you provide a contribution towards public open space outdoor sport or recreation facilities (either on-site or off-site), the Council will need to be satisfied that it has been properly laid out and completed and that suitable contractual arrangements for its long-term maintenance have been put in place. If you provide new public open space (either on-site or off-site) you will be expected to transfer the space to the Council to maintain and retain for such use.

- 11.46 Where your new public open space is to be transferred to us, you will normally be required to remain responsible for its maintenance for an initial establishment period of 5 years. After this time, we will take full responsibility for the maintenance of that public open space.

#### **Financial contribution**

- 11.47 If you make a financial contribution in lieu of direct provision, whether it is for substantial qualitative or accessibility improvements to existing sites already maintained by the Council or for the provision of a new public open space, we will expect you to provide a commuted sum for the maintenance of these facilities for a period of five years.
- 11.48 Where your new public open space is not to be transferred to the Council a commuted sum for maintenance will not be required. However,

if you choose to retain control of your public open space, we will need to be sure that adequate provision for the maintenance and access of that public open space is in place.

- 11.49 In ALL cases a legal agreement will be required to secure the maintenance of public open space over a defined period or to secure the financial contribution in lieu of direct maintenance.

### **Design and administration**

- 11.50 For payments in lieu of providing public open space, on-site or off-site payments we will also require a 12% contribution towards the costs of our open space team to administer the financial contribution and to plan and design works within our open spaces.

### **Further information**

Open Space, Sport And Recreation Study	Camden's open space, sport and recreation study update 2008 provides an assessment of open space, sport and recreation provision and demand in the borough. <a href="http://www.camden.gov.uk/planning">www.camden.gov.uk/planning</a>
Biodiversity Action Plan	Camden's Biodiversity Action Plan provides Camden's priorities for improving our greenspaces and biodiversity. <a href="http://www.ukbap-reporting.org.uk/plans/lbap.asp">www.ukbap-reporting.org.uk/plans/lbap.asp</a>
PPS17	Planning Policy Guidance 17 – Planning for open space and its companion guide provide policy and guidance for the provision of open space including the quantitative and qualitative considerations. <a href="http://www.communities.gov.uk">www.communities.gov.uk</a>
Mayor of London's Supplementary Planning Guidance	The Mayor of London's Supplementary Planning Guidance Providing for children and young people's play and informal recreation provides guidance and examples of how to incorporate space for children and young people. <a href="http://legacy.london.gov.uk/">http://legacy.london.gov.uk/</a>

## Appendix A

### Public Open Space Deficiency

Figure 7 shows the maximum distance that people can reasonably be expected to travel on a regular basis to use different types of open space. Amenity open space and children's play space should be available within easy walking distance of the development to which they relate. People are generally willing to travel further to use recreation areas providing outdoor sport facilities or to larger parks.

**Figure 7. Distance threshold for different types of public open space**

Type of public open space	Minimum size (where applicable)	Distance from development to public open space
Public amenity open space		280m*
Formal recreation area		1.2 km
<b>Play Space</b>		
LAP	100sq m	50m*
LEAP	400sq m	280m*
NEAP	1000sq m	500m*
Natural greenspace	Any	500m
Allotments and community gardens	Any	Any

\*This distance is the actual walking distance, taking into account local circumstances, such as the location of entrance gates, street patterns, the severance effects of railway lines or heavy traffic flows that could all reduce the accessibility of open spaces.

(Based on Guide to preparing Open Space Strategies: Best practice guidance of the London Plan, Mayor of London, 2002)

Camden Core Strategy Map 7 shows areas of the borough that are deficient in public open space.

#### AREAS DEFICIENT IN PUBLIC OPEN SPACE

Areas more than 280m walking distance away from a public open space with a multi-functional role, that is a space over 0.25ha (2,500sq m).

Core Strategy policy CS13 also refers to areas with an under-provision of open space. These are areas with access to open space, but the provision is not sufficient to meet the level of local need due to the number of children, dwelling density, and social disadvantage in the area. These are shown in Figure 4.4 of Camden's Open Space, Sport and Recreation Study Update.

Both components are needed to ensure that everyone is within an appropriate distance of public open space based upon their needs and to ensure that people are not prevented from accessing that open space as a result of prohibitive costs. Contributions to open space will be

encouraged within the distance thresholds for the particular type of open space to be provided.

Paragraph 15.18 of Camden's Core Strategy indicates that residents and visitors further than 1 km away from a metropolitan or borough Site of Nature Conservation Importance (SNCI) are considered to have poor access to the natural environment. Core Strategy Map 8 shows all areas greater than 500 m from an SNCI as deficient in access to nature conservation areas.

#### **AREAS DEFICIENT IN NATURE CONSERVATION SITES**

Areas more than 500m walking distance away from a Borough or Metropolitan level Site of Nature Conservation Interest.

## Appendix B

### Occupancy rate by development type

The Camden Open Space, Sport and Recreation Study Update 2008 recommends calculating occupancy rates and child yields on the basis of the London Housing Survey 2002 and DMAG briefing 2005/25. The occupancy rates are shown in Figure 8.

**Figure 8. Occupancy rate for C3 homes based on the London Housing Survey and DMAG briefing 2005/25**

<b>Self-contained homes in Use Class C3</b>	<b>Total persons</b>	<b>Children (average)</b>	<b>Adults (net)</b>
One bedroom home	1.3	0.04*	1.3
Two bedroom home	1.9	0.25	1.65
Three bedroom home	2.8	1.15	1.65
Four bedroom home	3.1	1.44	1.66

Source: Camden Open Space, Sport and Recreation Study Update 2008.

\*The average child yield for a one bedroom home equates to 1 child per 25 homes, which would not generate a meaningful play space requirement, and has been treated as 0.

Occupancy rates for student housing, hotels and hostels are assumed to be one person per single bedroom and two people per double bedroom.

The study recommends assuming an employee density of one worker per 19 sq m (gross external area) for commercial floorspace. This generates an occupancy rate of 52.6 employees per 1,000 sq m (gross external area). Non-residential developments for higher education are considered to generate the same number of occupants (including employees and students) as commercial developments.

## Appendix C

### Calculation of financial contributions

This appendix shows how we have calculated the financial contributions for provision or enhancement of public open space.

In addition to this capital cost, you will be expected to pay a commuted sum to cover:

- Maintenance of the facility and open space provision over a 5 year period; and
- Designing the new open space works and administering the financial contribution by Camden's open space team.

**Figure 9. Capital cost of provision**

Type of public open space	Capital cost
Amenity open space	£46.22 per sq m
Children's play space and young people's recreation space	£199.48 per sq m
Natural and semi-natural greenspace	£16.42 per sq m
Allotments/Community Gardens	£32.50 per sq m

Source: Camden Open Space, Sport and Recreation Study Update 2008

Figure 5 sets out the break down of open space requirements for developments of specific sizes. The capital costs have been aggregated in accordance with Figure 5 as set out in Figure 10.

**Figure 10. Calculation of financial contribution to capital cost**

Capital cost per square metre	Amenity open space £46.22 psm	Children's play space £199.48 psm	Natural green space £16.42 psm	Total (amenity space + play space + green space)
<b>Self-contained homes in Use Class C3</b>				
One bedroom home: space required	6.5 sq m		5.2 sq m	
Space required x cost per square metre	£300		£85	£385
Two bedroom home: space required	9.2 sq m	0.6 sq m	7.2 sq m	
Space required x cost per square metre	£425	£120	£118	£663
Three bedroom home: space required	12.8 sq m	2.9 sq m	9.5 sq m	
Space required x cost per square metre	£592	£578	£156	£1,326
Four bedroom home: space required	14.1 sq m	3.6 sq m	10.2 sq m	
Space required x cost per square metre	£652	£718	£167	£1,537
<b>Student housing, hotels and hostels</b>				
Single room: space required	5 sq m		4 sq m	
Space required x cost per square metre	£231		£66	£297
Double room: space required	10 sq m		8 sq m	
Space required x cost per square metre	£462		£131	£593
<b>Commercial/ higher education development</b>				
Space required per 1,000 sq m	21.0 sq m		17.9 sq m	
Space required x cost per square metre	£971		£294	£1,265

### Contributions to maintenance costs

In addition to capital costs, the Council has established a maintenance cost of £6.60 per square metre per year, based on the 2006 Parks and Open Spaces Budget, plus inflation.

The standard length of time developers should provide for maintenance of new and enhanced public open space is 5 years.

Commuted sums for maintenance of public open space are calculated as follows: open space requirement (sq m) x £6.60 x 5. This equates to £33 per square metre of open space required.

### Contributions to the cost of design and administration

Design and administration costs have been assessed as 12% of the capital cost of the open space provision or contribution.



## Appendix D

### Worked Examples

#### Worked Example 1:

##### Public open space provision for self-contained homes (C3)

A residential development of 16 new homes provides the following mix of dwelling sizes: 3 x 1-bedroom, 8 x 2-bedroom, 4 x 3-bedroom and 1 x 4-bedroom. The open space requirement can be calculated as follows:

Home size	No of homes	x open space requirement per home (sq m) from Figure 5	= total requirement (sq m)
One bedroom home	3	11.7	35.1
Two bedroom home	8	17.0	136.0
Three bedroom home	4	25.2	100.8
Four bedroom home	1	27.9	27.9
Total for all homes	16		299.8

The total open space requirement for this 16 home scheme would be approximately 300 sq m.

#### Worked Example 2:

##### Public open space provision for non-residential development

An office development provides 1,500sq m of additional floorspace. The open space requirement can be calculated as follows:

Additional floorspace	÷ 1,000 to give floorspace in thousands of sq m	x open space requirement per 1,000 sq m from Figure 5	= total requirement (sq m)
1,500 sq m	1.5	38.9	58.35

The total open space requirement for this additional non-residential floorspace would be approximately 60 sq m.

#### Worked Example 3:

##### Payment in lieu of open space provision for non-residential development – capital costs

As per example 2, an office development provides 1,500 sq m of additional floorspace. The payment in lieu of open space provision can be calculated as follows:

<b>Additional floorspace</b>	<b>÷ 1,000 to give floorspace in thousands of sq m</b>	<b>x capital cost per 1,000 sq m from Figure 6</b>	<b>= total payment for capital costs</b>
1,500 sq m	1.5	£1,265	£1,897.50

The payment in lieu of open space provision for this additional non-residential floorspace based on capital costs would be £1,897.50. However, we would also expect payments towards maintenance and design and administration – see example 5.

#### **Worked Example 4**

##### **Payment in lieu of open space provision for student housing – capital costs**

A student housing scheme provides 30 single rooms and 10 double rooms. The payment in lieu of open space provision can be calculated as follows:

<b>Bedroom type</b>	<b>No of bedrooms</b>	<b>x capital cost per bedroom from Figure 6</b>	<b>= total payment for capital costs</b>
Single	30	£297	£8,910
Double	10	£593	£5,930
Total for all bedrooms	40		£14,840

The payment in lieu of open space provision for this student housing based on capital costs would be £14,840. However, we would also expect payments towards maintenance and design and administration – see example 5.

#### **Worked Example 5**

##### **Payment in lieu of open space provision for self-contained homes (C3) – all costs**

A residential development of 5 new homes provides the following mix of dwelling sizes: 1 x 1-bedroom, 3 x 2-bedroom, 1 x 3-bedrooms. The total payment in lieu of open space provision can be calculated in 4 stages

**Stage 1 – Capital costs**

Home size	No of homes	x capital cost per home from Figure 6	= total payment for capital costs
One bedroom home	1	£385	£385
Two bedroom home	3	£663	£1,989
Three bedroom home	1	£1,326	£1,326
Total for all homes	5		£3,700

The payment in lieu of open space provision for this 5 home scheme based on capital costs would be £3,700.

**Stage 2 – Maintenance costs**

Home size	No of homes	x maintenance cost per unit from Figure 6	= total payment for maintenance
One bedroom home	1	£386	£386
Two bedroom home	3	£561	£1,683
Three bedroom home	1	£832	£832
Total for all homes	5		£2,901

The payment in lieu to cover maintenance of new or enhanced open space for this 5 home scheme would be £2,901.

**Stage 3 – Design and administration costs**

Home size	No of homes	x design and administration cost per unit from Figure 6	= total payment for design and administration
One bedroom home	1	£46	£46
Two bedroom home	3	£80	£240
Three bedroom home	1	£159	£159
Total for all homes	5		£445

The payment in lieu to design and administration for new or enhanced open space for this 5 home scheme would be £445.

**Stage 4 – Sum of all costs**

The three separate types of costs will not usually be aggregated for the Council's purposes (see paragraph 11.39). However, for the guidance of developers, the three costs can be added together.

In this example, the total cost to the developer would be:

Capital costs	£3,700
+ maintenance costs	£2,901
+ design and administration costs	£445
<b>= grand total</b>	<b>£7,046</b>

## 12 Planning for healthy communities

### KEY MESSAGES:

- Planning has a significant role in improving health;
- Applicants should consider the impact of the development on health;
- Applicants should submit a completed health checklist with applications.

- 12.1 It is widely recognised that the health and well-being of individuals is directly influenced by a number of related factors. These include:
- housing;
  - employment;
  - education;
  - access to green and open spaces;
  - social capital and community cohesion;
  - climate change and sustainability;
  - community safety;
  - building and urban design;
  - air and noise pollution;
  - diet and food;
  - waste; and
  - other factors.
- 12.2 Planning and the built environment have a significant role in influencing, both directly and indirectly, all of these health determinants.
- 12.3 In the UK, the 2010 Marmot review, Fair Society and Healthy Lives, also identified a number of recommendations to help deliver one of its objectives to: create and develop healthy and sustainable places and communities. These include:
- active travel;
  - provision of good quality open and green spaces;
  - improving the food environment;
  - energy efficiency of housing; and
  - to fully integrate planning, transport, housing, environmental and health systems to address the social determinants of health.



- 12.4 Camden's Core Strategy reflects health across the strategy as a cross-cutting theme and so almost all the policies in the Core Strategy will have an impact on health. For example, the following policies all have an influence on health and well-being:
- CS6 - *Providing quality homes;*
  - CS15 - *Protecting and improving our parks and open spaces and encouraging diversity;* and
  - CS11 - *Promoting sustainable and efficient travel.*
- 12.5 Policy CS16 - *Improving health and well-being* brings these policies together to ensure they are all working to tackle health inequalities and improve well-being. CS16 also sets out how we will work with NHS Camden to improve and protect health and also support the provision of new health facilities.
- 12.6 The following Core Strategy policies are also relevant as they work together to promote health and improve well-being:
- CS8 - *Promoting a successful and inclusive Camden economy,*
  - CS10 - *Supporting community facilities and services,* and
  - CS17 - *Making Camden a safer place.*
- 12.7 The following policies of the Camden Development Policies are also relevant:
- DP15 - *Community and leisure uses;*
  - DP26 - *Managing the impact of development on occupiers and neighbours;* and
  - DP32 - *Air quality and Camden's Clear Zone.*

### **Creating healthy communities**

- 12.8 Where possible developments should:
- Encourage walking and cycling;
  - Discourage car use to reduce emissions and accidents;

- Provide landscaping, planting and trees to improve air quality and quality of life;
- Provide adequate amenity space for visual and physical recreation;
- Ensure a mix of uses within or near the residential area to reduce the need to travel; and
- Improve the environmental quality of buildings to ensure buildings stay warm in winter and cool in summer.

### **The NHS Camden Health Checklist for Planning**

- 12.9 This guidance is designed to complement policy 3.2 of the London Plan which requires Health Impact Assessments for major developments, and consideration of the health impacts of development to ensure major new development promotes public health within our borough.
- 12.10 The NHS Camden health checklist for planning has been developed to ensure that health is a key consideration within new developments. The checklist provides support and guidance for developers in order to maximise the health benefits of any scheme. The NHS Camden Health Checklist for Planning is contained in Appendix 1 of this section.
- 12.11 We will require a completed health checklist to be supplied alongside all applications for all developments which meet the following criteria:
- More than 10 residential units, including changes use and new dwellings
  - More than 1,000sq m of non-residential floor space
  - Loss/gain of D1 floorspace of more than 50sq m

### **Hot food takeaways (A5 uses)**

- 12.12 The document *Healthy Weight, Healthy Lives: A Cross Government Strategy for England*, published by the government in January 2008 highlights the commitment to promoting healthier communities. A key element of this strategy is the promotion of healthier food choices. The document highlights the need for local authorities to manage the proliferation of fast food outlets as a means of combating their known adverse impact on community health.
- 12.13 Core Strategy policy CS7 and policy DP12 of the Camden Development Policies, along with Camden Planning Guidance 5 - Town Centres, Retail and Employment aim to manage the number and concentration of food, drink and entertainment uses, including hot food takeaways. The measures we use include:
- limiting the number of A5 units in centres and rows of shops (frontages);
  - preventing consecutive takeaway shops opening next to one another;
  - only allowing new A5 uses in appropriate locations where their impact can be minimised; and

- using legal obligations to ensure that impacts are controlled e.g. opening hours.

12.14 Please see section 5 on town centres, retail and entertainment uses in Camden Planning Guidance 5.

### **Assessing the requirement for new health facilities**

12.15 Health facilities include hospital and other premises that provide health and medical services such as doctors, integrated care centres, polyclinics and dentists. Camden Core Strategy policy CS10 aims to ensure that sufficient community facilities (including health facilities) are provided to meet the needs of Camden's population. Policy CS16 specifically aims to ensure that there is adequate provision of health facilities in partnership with NHS Camden.

12.16 Part e) of CS10 expects development that increases the demand for community facilities and services to make appropriate contributions towards providing new facilities or improving existing facilities. These contributions could be financial or they could involve the direct (re)provision of health facilities within or near a proposed development site.

12.17 The Council will consult with NHS Camden to assess the appropriate level and type of contribution required to mitigate any health care impacts which might be generated by a development proposal. The Council will also have regard to the model commissioned by the Healthy Urban Development Unit (HUDU), updated October 2009. The model is designed to forecast the level of demand for health facilities that might result from a new development and the subsequent cost of provision. Large, strategic schemes will be expected to assess the impact of visitors and employees in addition to the new and existing resident population. In other cases, contributions will not normally be sought for developments of less than 10 residential units.

12.18 Please see Camden Planning Guidance 8 – *Planning obligations* for our detailed approach.



### Further information

PPS1	PPS1 - Delivering Sustainable Development indicates that LDF policies should plan to protect human health and address accessibility for all members of the community to a range of facilities including health, leisure and community services. It also states that LDF documents should deliver safe, healthy and attractive places to live and support the promotion of health and wellbeing by making provision for physical activity.
PPS23	PPS 23 - Planning and Pollution Control states that potential health impacts arising from development can be a material consideration.
The London Plan	The London Plan (consolidated since 2004) published in 2008 recognises health as a key cross-cutting objective of the overall strategy. The Plan also contains the following relevant policies: <ul style="list-style-type: none"> <li>• Policy 3A.20 Locations for health care</li> <li>• Policy 3A.21 Health objectives</li> <li>• Policy 3A.22 Medical excellence</li> </ul>
Mayor's Guidance	<ul style="list-style-type: none"> <li>• Health Issues in Planning: Best Practice Guidance (June 2007) – explains how planning decisions can directly and indirectly improve health and reduce health inequalities through a number of topics, e.g. housing, transport, employment and skills, education etc.</li> <li>• Sustainable design and Construction (May 2006) – recommends a number of building specific measures to benefit the health of occupants, e.g. improving internal air quality, ensuring sufficient levels of natural light etc.</li> </ul>
CABE	Commission for Architecture and the Built Environment. (2009). Future health: sustainable places for health and wellbeing.
Key determinants of health	Search on the London Health Observatory: <a href="http://www.lho.org.uk">www.lho.org.uk</a>
Healthy Urban Development Unit	Guidance on linking planning and health: <a href="http://www.healthyurbandevlopment.nhs.uk/pages/key_docs/key_documents_hudu.html">www.healthyurbandevlopment.nhs.uk/pages/key_docs/key_documents_hudu.html</a>

## Appendix 1: NHS Camden health checklist for planning

Issue to address	Included in proposal/development	Provide details (Evidence from proposals)	Further action required	Relevant LDF policies
<b>1.0 HEALTHCARE FACILITIES AND SERVICES</b>				
<b>1.1</b> Will the development increase demand on existing primary and secondary care health services?	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			Core strategy policy CS16
<b>2.0 PHYSICAL ACTIVITY</b>				
<b>2.1</b> Do the proposals maximise physical activity opportunities? (Active travel; leisure facilities; access to green and open spaces; HomeZones; schools; business; Olympics etc)	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			Core Strategy policies, CS11, CS15, CS16 and Development Policies DP15, DP17, DP31
<b>3.0 CRIME AND COMMUNITY SAFETY</b>				
<b>3.1</b> Have measures been taken to ensure that the proposals will not have a negative impact on crime and community safety? (Licensed premises; drugs & alcohol; road traffic injuries; etc.)	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			Core Strategy policy CS17
<b>4.0 HOUSING</b>				
<b>4.1</b> Do the proposals include housing which is: affordable, in mixed use developments; mixed tenure (private, affordable, social); different sizes, accessible and suitable for all ages.	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			Core Strategy policy CS6 and Development Policies DP1-9
<b>5.0 EMPLOYMENT AND TRAINING</b>				
<b>5.1</b> Do the proposals provide employment and training opportunities for local people?	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			Core Strategy policy CS8 and Development Policy DP13
<b>6.0 EDUCATION</b>				
<b>6.1</b> If education facilities are provided, will they be designed to include wider community use and include green and open space?	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			Core Strategy policy CS10
<b>7.0 NEIGHBOURHOOD AND BUILDING DESIGN</b>				
<b>7.1</b> Do the proposals include: accessible street designs for older people and people with mobility problems; and gardens allotments or play areas?	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			Core Strategy policies CS14 and CS15
<b>7.2</b> Do proposals ensure that buildings are designed to maximise physical activity (positioning of stairwells, shower rooms, secure cycle parking etc)	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			Core Strategy policies CS11, CS16 and Development Policies DP6, DP17, DP24
<b>8.0 CLIMATE CHANGE AND SUSTAINABILITY</b>				
<b>8.1</b> Do the proposals mitigate against a negative impact on the environment (noise & air quality; renewable energy; contaminated land; waste management etc.)	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			Core Strategy Policy CS13 and Development Policy DP22
<b>9.0 FOOD</b>				
<b>9.1</b> Do the proposals include provision of affordable and nutritious food outlets, food growing and limit the proliferation of fast-food outlets?	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			CS16
<b>10.0 WIDER ASSESSMENT</b>				
<b>10.1</b> Have the health impacts been considered as part of any other assessment? (SEA, HIA, IIA, EIA etc)	<input type="checkbox"/> Yes <input type="checkbox"/> No (if no, please indicate what further action will be required)			n/a

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# 1 Introduction

## What is Camden Planning Guidance?

- 1.1 We have prepared this guidance to support the policies in our Local Development Framework (LDF). It is therefore consistent with the Camden Core Strategy and Development Policies, and is a formal Supplementary Planning Document (SPD) which is an additional “material consideration” in planning decisions. This guidance will replace Camden Planning Guidance 2006, updating advice where appropriate and providing new guidance on matters introduced or strengthened in the LDF.
- 1.2 Camden Planning Guidance covers a range of topics (such as design, housing, sustainability and planning obligations) and all of sections should be read in conjunction with, and within the context of, Camden’s other LDF documents.

## Amenity in Camden

- 1.3 A key objective of the Camden Core Strategy is to sustainably manage growth so that it avoids harmful effects on the amenity of existing and future occupiers and to nearby properties.

## What does this guidance cover?

- 1.4 This guidance provides information on all types of amenity issues within the borough and includes the following sections:
  1. Air quality
  2. Contaminated land
  3. Noise and vibration
  4. Artificial light
  5. Daylight and sunlight
  6. Overlooking, privacy and outlook
  7. Construction management plans
  8. Access for all
  9. Wind and micro-climate
  10. Open space, outdoor sport and recreation facilities

- 1.5 This guidance supports the following Local Development Framework policies:

## Camden Core Strategy

- CS5 - Managing the impact of growth and development
- CS15 - Protecting and improving our parks and open spaces & encouraging biodiversity
- CS16 - Improving Camden’s health and well-being

**Camden Development Policies**

- DP26 - Managing the impact of development on occupiers and neighbours
- DP28 - Noise and vibration
- DP31 - Provision of, and improvements to, public open space and outdoor sport and recreation facilities
- DP32 - Air quality and Camden's Clear Zones

## 2 Air quality

### KEY MESSAGES:

- All of Camden is a designated Air Quality Management Area due to the high concentrations of nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>).
- All developments are to limit their impact on local air quality.

2.1 Poor air quality can harm health and the environment. The Council aims to make sure that new development does not harm air quality. This guidance provides advice on how to address air quality issues in planning applications.

2.2 Camden Core Strategy policy CS16 - *Improving Camden's health and well-being* and policy DP32 – *Air quality and Camden's Clear Zone* of the Camden Development Policies sets out our approach to air quality in the borough.

2.3 *Planning Policy Statement PPS23: Planning and Pollution Control* contains the Government's core policies and principles on air quality and air pollution. The London Plan outlines regional policies related to protecting local air quality during the planning process.



### Air quality in Camden

2.4 An Air Quality Management Area (AQMA) must be declared by the local authority for an area that is unlikely to meet the national air quality targets for specific air pollutants. The authority then produces a Local Air Quality Action Plan. See Camden's website for our air quality plan.

2.5 The whole of Camden is an Air Quality Management Area (AQMA) as it does not meet national air quality targets for nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>). The main sources of air pollution in Camden are road transport and gas boilers. The Council's Air Quality Action Plan outlines measures to reduce emissions from the key sources of air pollution in the borough. Included in the plan are measures to minimise and control NO<sub>x</sub> and PM<sub>10</sub> emissions associated with new developments both during the construction of a building and its future use.

2.6 Air quality is particularly poor in the south of borough which is characterised by high levels of traffic. We will only grant planning permission for development that significantly increases travel demand in

the south of the borough where it includes appropriate measures to minimise the transport impact of development.

- 2.7 Where appropriate we will seek developments to include monitoring equipment to allow us to better understand local air quality.

#### **WHAT DOES THE COUNCIL REQUIRE?**

The Council's overarching aim is for new development is to be 'air quality neutral' and not lead to further deterioration of existing poor air quality.

You will be required to include mitigation and offsetting measures to deal with any negative air quality impacts associated with your development proposals. At the same time your development should be designed to minimise exposure of occupants to existing poor air quality.

To manage and prevent further deterioration of air quality in Camden, we will require an air quality assessment with planning applications for development that could have a significant negative impact in air quality. This impact can arise during both the construction and operational stages of a development as a result of increased NO<sub>x</sub> and PM<sub>10</sub> emissions.

- 2.8 An air quality assessment will also be required for a proposal if it introduces uses that are susceptible to poor air quality, such as housing or a school, into areas of particularly poor air quality.
- 2.9 The Council will not grant planning permission for developments that could significantly harm air quality or introduce people into areas of elevated pollution concentrations, unless mitigation measures are adopted to reduce the impact to acceptable levels and protect public exposure (see paragraph 32.4 of policy DP32 of the Camden Development Policies).
- 2.10 Although all of Camden is covered by an AQMA we will only require an air quality assessments where development could potentially cause significant harm to air quality as set out in the table below.



**An Air Quality Assessment is required in developments:**

- with potential to significantly change road traffic on any road exceeding 10,000 vehicles per day. Significant changes include:
  - increase in traffic volumes > 5% (Annual Average Daily Traffic (AADT) – or peak);
  - lower average vehicle speed or significant increase in congestion;
  - significant increase in the percentage of HGVs;
- that introduce, or increase car parking facilities by, 100 spaces or more;
- with commercial floorspace of more than 1,000sq m;
- with more than 75 homes;
- where people will be exposed to poor air quality for significant periods of the day, in particular developments located on busy roads;
- involving the following - biomass boilers, biomass or gas combined heat and power (CHP);
- involving industrial or commercial floorspace regulation under the Environmental Permitting (England and Wales) Regulations (EPR) which will be subject to Environmental Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

**What should an air quality assessment cover?**

- 2.11 Air quality assessments for developments potentially contributing to poor air quality are to include the following:
- a) An inventory of the PM<sub>10</sub> and NO<sub>x</sub> emissions associated with the proposed development, including the type and quantity of emission concentrations, during the construction and operational phase. This shall cover transport, stationary and mobile emission sources.
  - b) The application of atmospheric dispersion modelling to predicted existing and future NO<sub>2</sub> and PM<sub>10</sub> concentrations, both with and without the proposed development. Dispersion modelling shall be carried out in accordance with Air Quality and Planning Guidance, London Councils (2007) and Technical Guidance Note (TG09). (Specific guidance for modelling combustion plant emissions can be obtained from the Council's Sustainability Team – see Useful Contacts at the end of this section).
  - c) An assessment of the significance of air quality impacts during both the construction and operational phases. Reference shall be made to the Environmental Protection UK Guidance Note: Development Control: Planning for Air Quality (2010 Update).
  - d) Consideration of the potential cumulative impacts on air quality which may arise during the construction or operational phases as a result of emissions arising from other developments within a 100m radius of the development.
  - e) Where a biomass boiler or combined heat and power (CHP)/combined cooling, heating and power (CCHP) will be used for

on site energy generation, you are to complete the Council's Air Quality Information Request Form. This requires specific technical details related to the appliance, fuel type, emission concentrations, maintenance and exhaust stack. The forms can be obtained from Camden's Air Quality Officer or the Council's air quality webpage under Environment.

- f) Applications which include biomass boilers or biomass CHP, the air quality assessment shall compare the impact of emissions from the intended biomass boiler/CHP and a gas boiler/CHP of identical thermal rating.
- g) An indication of the number of new occupiers and users of the site who will be exposed to poor air quality as a result of the development (the occupiers/users should also be shown on a map). For further information please refer to the Environmental Protection UK Guidance Note: Development Control: Planning For Air Quality (2010 Update).
- h) An assessment of the impacts on air quality of the demolition and construction phase and details of mitigation methods for controlling dust and emissions from plant and machinery. Reference should be made to the Best Practice Guidance: The control of dust and emissions at construction and demolition, London Councils (2006).
- i) An outline of, and justification for, mitigation measures associated with the design, location and operation of the development in order to reduce air pollution and exposure to poor air quality.

#### **Developments containing sensitive uses**

- 2.12 Developments which will not result in additional NO<sub>x</sub> and/or PM<sub>10</sub> emissions and present no risk in worsening air quality, but introduce new sensitive uses to an area which breaches the air quality standards for NO<sub>2</sub> or PM<sub>10</sub> need to submit an assessment of the local air quality but can omit requirements B, D and E above.

#### **What measures can reduce air pollution emissions and protect public exposure?**

- 2.13 Various actions can be taken to mitigate air pollution emissions arising from the construction and operational phases of a new development. Additional actions can be adopted to curtail public exposure in areas where air pollution levels are particularly high. These should be taken into account during the design stage of an application. The key measures are detailed below:

#### **Demolition and construction**

- 2.14 The impact of the construction and demolition phases of a development on air quality must be taken into account as part of your planning application. Exhaust



emissions from construction vehicles and machinery such as generators, piling and grinding equipment can result in:

- dust emissions;
- gases (NO<sub>x</sub>); and
- fine particles.

2.15 Controlling dust emissions is important to:

- prevent disturbance to local residents due to soiling;
- minimise damage to vegetation; and
- reduce impacts on local PM<sub>10</sub> concentrations, thereby protecting public health.

2.16 We may require PM<sub>10</sub> monitoring, before and during the construction and demolition phase, dependant upon the scale of the proposed development.

2.17 We will encourage best practice measures to be adopted during construction and demolition work to reduce and mitigate air pollution emissions. You will be encouraged to adopt the procedures outlined in the London Council's best practice guidance *The control of dust and emissions from construction and demolition*. These focus around three principles to control emissions – prevention, suppression and containment. We will expect you to include the following items in construction management plans:

- Identification of whether demolition/construction represents a low, medium or high risk site in the context of air quality.
- Identification of the best practice measure required to control and mitigate plant and vehicles exhaust emissions.  
(See section 8 of this Guidance on Construction management plans for further details).

#### **Distance of impacts**

Depending of the size, location and characteristics of your development, impacts from demolition and construction phases can occur at distance of 10 to 500m.

#### **Building location and design**

2.18 The location of a development has a direct influence on exposure to elevated air pollution levels. This is particular relevant where developments include sensitive uses such as hospitals, schools and children's playgrounds. Suitable building design, layout and orientation can avoid increasing exposure whilst minimising energy demand and energy loss. The Council requires the impact of outdoor air pollution on indoor air quality in new developments to be taken into account at the earliest stages of building design.

- 2.19 The location of outside space is also an important consideration and any exposure of gardens and roof terraces should be screened and, where practicable, minimised through appropriate positioning and orientation. You should take care not to locate flues and exhaust vents in close proximity to recreational areas such as roof terraces or gardens. An energy efficient building design can minimise air pollution resulting from the use of gas boilers. Adopting sustainable building design (e.g. the Code for Sustainable Homes and the Building Research Establishment Environmental Assessment Method (BREEAM)), will reduce thermal heat losses and result in less gas use leading to lower NO<sub>x</sub> emissions. See Camden Planning Guidance 3 – Sustainability for further details on the Code and BREEAM.

### Gas boilers

- 2.20 Gas boilers are a large source of NO<sub>x</sub> emissions in Camden. In order to minimise NO<sub>x</sub> emissions arising from heating and hot water systems the Council requires boilers fitted in new development to achieve a NO<sub>x</sub> emissions of <40 mg/m<sup>3</sup> and an energy efficiency rating >90%.

### Renewable Energy and Combined Heat and Power

- 2.21 Core Strategy policy CS13 promotes the use of renewable energy technologies to reduce carbon emissions and tackle climate change. The adoption of renewable energy and energy efficiency technologies in major developments can minimise air pollution emissions through reductions in gas consumption required for heating and hot water. These include solar thermal collectors and ground source heat pumps in addition to gas and hydrogen fuel cell combined heat and power (CHP) or combined cooling heat and power (CCHP).

#### Hydrogen fuel cell

A fuel cell is an electrochemical cell that converts energy from a fuel (hydrogen) into electricity.

- 2.22 Biomass boilers however can give rise to higher emissions of NO<sub>x</sub> and PM<sub>10</sub> emissions than conventional gas boilers. Permission to operate these appliances will only be granted if the air quality impacts are demonstrated to be equivalent or lower than those associated with a conventional gas boiler of similar thermal rating. Where an assessment demonstrates adverse effects on air quality, this type of biomass boiler should not be used in the development.
- 2.23 You are advised to refer to the national guidance note *Biomass and Air Quality Guidance Note for Local Authorities*, published by Environmental Protection UK. In cases where emissions released from a biomass boiler do not lead to negative impacts on air quality, the



appliance will be required to meet high standards of air pollution control with particular emphasis given to:

- boiler design and operation;
- pollution abatement equipment;
- servicing and maintenance;
- fuel quality, storage and delivery; and
- exhaust stack height.

2.24 We will require evidence that the exhaust stack height of gas CHP/CCHP has been appropriately calculated to guarantee that NO<sub>x</sub> emissions are effectively dispersed, and do not risk increasing ground level NO<sub>2</sub> concentrations. An air quality assessment will be required for developments including CHP/CCHP. Where the assessment reveals a negative impact on air quality, mitigation measures will be required entailing the best available techniques to reduce emissions. This includes the installation of NO<sub>x</sub> abatement technology such as:

- use of low NO<sub>x</sub> burners; or
- increasing stack height.

2.25 A programme of on-going maintenance and servicing will be necessary to minimise gas emissions released from CHP/CCHP.

2.26 The Council will use Section 106 obligations to set requirements for controlling emissions from biomass boilers and CHP/CCHP.

### **Traffic Reduction**

2.27 Reducing car usage caused by new developments is the principle way to minimise vehicle emissions and protect local air quality. Please refer to transport policy *CS11 - Promoting sustainable and efficient travel* in the Camden Core Strategy for more on our approach to improving air quality through transport measures. This requires:

- the adoption of car free and car capped developments;
- provision cycling facilities to encourage sustainable transport;
- green travel plans;
- provision of car club bays; and
- infrastructure for low emissions vehicles such as electric vehicle recharging points.

### Further information

Planning Guidance	<ul style="list-style-type: none"> <li>• Planning Policy Statement 23: Planning and Pollution Control (2004)</li> <li>• Planning Policy Statement 23 Annex 1: Pollution Control, Air and Water Quality These documents outline the government's advice on methods of planning for pollution control.</li> </ul>
Air Quality Guidance	<ul style="list-style-type: none"> <li>• Technical Guidance Note: Assessment of Air Quality Issues of Planning Applications, Association of London Government (ALG), 2006 This provides technical advice on how to deal with planning applications that could have an impact on air quality.</li> <li>• Development Control: Planning for Air Quality. Environmental Protection UK, 2010 This advises of the significance of air quality assessments within the planning process.</li> <li>• Best Practice Guidance - The control of dust and emissions from construction and demolition (London Councils) 2006 The aim of this guidance is to protect the health of on-site workers and the public and to provide London-wide consistency for developers.</li> <li>• Biomass and Air Quality Guidance for Local Authorities (Environmental Protection UK) 2009 This guidance details procedures for assessing and managing the effects of biomass on air quality and provides background material.</li> <li>• Low Emission Strategies (Beacon Low Emission Group) 2009 This provides advice on how to reduce emissions of air pollutants and greenhouse gases from transport.</li> </ul>
Useful Contacts	<p>Camden Council Corporate Sustainability Team  <a href="http://www.camden.gov.uk/smallsteps">www.camden.gov.uk/smallsteps</a> (020 7974 4444)          provides guidance on air quality in Camden</p>



## 4 Noise and vibration

### KEY MESSAGES:

We will ensure that noise and vibration is controlled and managed to:

- Limit the impact of existing noise and vibration sources on new development; and
- Limit noise and vibration emissions from new development.

- 4.1 The impact of noise and vibration can have a major affect on amenity and health and can severely affect people's quality of life.
- 4.2 Policy *DP28 – Noise and Vibration* of the Camden Development Policies aims to ensure that noise and vibration is controlled and managed. It sets out the Council's thresholds for noise and vibration and goes beyond the thresholds set out in Planning Policy Guidance 24: Planning and noise (see below). DP28 contains noise/vibration thresholds for the day, evening and night.



## **How can the impact of noise and vibration be minimised?**

4.3 The main sources of noise and vibration in Camden are generated from:

- Road traffic;
- Railways;
- Industrial uses;
- Plant and mechanical equipment;
- Entertainment uses (such as bars and nightclubs); and
- Building sites.

4.4 For details on how to manage noise and vibration from building sites see section 8 on Construction management plans.

## **Ways to minimise the impact of noise on your development**

### **Design**

- Locating noise sensitive areas/rooms away from the parts of the site most exposed to noises;
- Creating set backs;
- Designing the building so its shape and orientation reflect noise and protect the most sensitive uses;
- Stacking similar rooms (such as kitchens and living rooms) above each other; and
- Positioning non-residential uses closer to the noise source in mixed use developments.

### **Built fabric**

- Insulating and soundproofing doors, walls, windows, floors and ceilings;
- Sealing air gaps around windows;
- Double glazing;
- Including architectural fins (where appropriate); and
- Laminated glass.

### **Landscaping and amenity areas**

- Incorporating planting, landscaping, fencing/barriers and solid balconies to reflect sound.

4.5 Our preference for controlling noise:

- Begins with attempting to reduce noise at its source;
- Then to separate the development (or at least the sensitive parts e.g. habitable rooms) from the source or to use noise barriers; and



- Finally construction materials such as acoustic glazing should be used.

- 4.6 When you consider measures to minimise noise and vibration you also need to take into account our policies on design and crime prevention. You should consider the implications of noise and vibration at the beginning of the design process to enable prevention or mitigation measures to be designed into the scheme. Poorly designed schemes will not be acceptable.
- 4.7 Proposals will be expected to include appropriate attenuation to alleviate or mitigate the impact of noise and vibrations to an acceptable level, as set out in policy *DP28 – Noise and vibration* of the Camden Development Policies. Where appropriate, the Council will consider the cumulative impact of noise sources (for example, air conditioning units).
- 4.8 Everyday domestic activities can also generate noise, e.g. communal entrances and roof terraces. Sufficient sound insulation must be provided between dwellings to prevent the transmission of noise between them, particularly in conversions where new partition walls are often deficient in terms of insulation.

### **Ways to mitigate noise emitted by your development**

#### **Engineering**

- Reducing the noise emitted at its point of generation (e.g. by using quiet machines and/or quiet methods of working);
- Containing the noise generating equipment (e.g. by insulating buildings which house machinery and/or providing purpose-built barriers around the site); and
- Protecting any surrounding noise-sensitive buildings (e.g. by improving sound insulation in these buildings and/or screening them by purpose-built barriers).

#### **Layout**

- Ensuring an adequate distance between source and noise-sensitive buildings or areas; and
- Screening by natural barriers, buildings, or non-critical rooms in the development.

#### **Administrative**

- Limiting the operating time of the source;
- Restricting activities allowed on the site; and
- Specifying an acceptable noise limit.

- 4.9 If your proposal could result in noise and vibration that would cause an unacceptable impact to nearby uses or occupiers, or proposes sensitive uses near a source of noise or vibration and cannot be adequately attenuated then planning permission is likely to be refused.

Developments will be assessed against the thresholds set out in policy DP28.

### **How will the Council manage the impact of noise and vibration?**

- 4.10 Detailed acoustic/noise and vibration information in the form of a report will be required if your development proposes:
- The installation of plant, ventilation or air conditioning equipment;
  - A use that will create significant noise (e.g. new industry, nightclub)
  - A noise-sensitive development in an area where existing noise sources are present (e.g. an existing industrial site, busy road, railway line);
  - A use that will generate a significant amount of traffic.

#### **Noise sensitive developments**

Those developments located near sources of noise, including housing, schools and hospitals as well as offices, workshops and open spaces.

- 4.11 The list above is a guide only and you may need to provide noise and vibration information for other developments depending on the circumstances of the site or proposal.
- 4.12 The appropriate amount and detail of information required will depend on the specific circumstances of your proposal. At a minimum you will be expected to provide the following information to support your application:
- Description of the proposal;
  - Description of the site and surroundings, a site map showing noise and vibration sources, measurement locations and noise receivers;
  - Background noise levels;
  - Details of instruments and methodology used for noise measurements (including reasons for settings and descriptors used, calibration details);
  - Details of the plant or other source of noise and vibration both on plan and elevations and manufacturers specifications;
  - Noise or vibration output from proposed plant or other source of noise and vibration, including:
    - Noise or vibration levels;
    - Frequency of the output;
    - Length of time of the output;
    - Features of the noise or vibration e.g. impulses, distinguishable continuous tone, irregular bursts;
  - Manufacturers' specification of the plant, supporting structure, fixtures and finishes;

- Location of neighbouring windows (and use if applicable);
- Details of measures to mitigate noise or fume emissions and vibration;
- Details of any associated work including acoustic enclosures and/or screening;
- Cumulative noise levels of all the proposed and existing units;
- Hours/days of operation.

4.13 Where appropriate the Council will seek a legal agreement to control or reduce noise levels where this is unlikely to be met through the use of a condition attached to a planning permission.

### Further information

PPG24	<p>Planning Policy Guidance Note 24: Planning and Noise provide Government guidance on noise. This guidance defines four Noise Exposure Categories (A-D) and outlines what should be done if your proposal falls into one of these categories. Advice is also provided on how to address noise issues and secure amelioration methods through the planning system.</p> <p><a href="http://www.communities.gov.uk/publications/planningandbuilding/ppg24">www.communities.gov.uk/publications/planningandbuilding/ppg24</a></p>
DEFRA	<p>The Department of Food, Environment and Rural Affairs provide a number of publications on noise and noise related issues.</p> <p><a href="http://www.defra.gov.uk">www.defra.gov.uk</a></p>
Camden Council website	<p>Camden's Environmental Health web pages provide strategic information on noise in Camden including the results of monitoring that has taken place</p> <p><a href="http://www.camden.gov.uk/noise">www.camden.gov.uk/noise</a></p> <p>Also see <i>Camden's Guide for Contractors working in Camden</i> on the Camden website.</p>
The Mayor's Ambient Noise Strategy	<p>This provides details on the Mayor of London's approach to reducing noise in London.</p> <p><a href="http://legacy.london.gov.uk/mayor/strategies/noise/docs/noise_strategy_all.pdf">http://legacy.london.gov.uk/mayor/strategies/noise/docs/noise_strategy_all.pdf</a></p>





Camden Planning Guidance

# Transport

London Borough of Camden

CPG 7





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Camden Planning Guidance

# Transport

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## 5 Car free and car capped development

### KEY MESSAGES

- We expect car free development in the borough's most accessible locations and where a development could lead to on-street parking problems
- Legal agreements will be used to maintain car-free and car-capped development over the lifetime of a scheme

- 5.1 This section explains further the terms car-free and car-capped development, as referred to in the Camden Core Strategy and Camden Development Policies, the mechanisms that are needed to secure them, and the circumstances in which it will be appropriate for the Council to refuse additional dwellings that are not car free or car capped.
- 5.2 It relates to Core Strategy Policy CS7 – *Promoting sustainable and efficient travel* and policies DP18 – *Parking standards and limiting the availability of parking* and DP19 - *Managing the impact of parking* of the Camden Development Policies.

#### **Car-free development**

A development which has no parking within the site and occupiers are not issued with on-street parking permits

#### **Car-capped development**

A development which has a limited amount of on-site car parking, but no access to on-street parking permits.

- 5.3 Car-free and car capped development is successful in Camden because most of the borough has very good access to public transport services. Levels of car ownership are low compared with London generally, and choosing not to own a car can be an attractive lifestyle option. The guidance in this section covers:
- What car free development is, and where it is sought;
  - What car capped development is, and where it is sought;
  - Implementation of off-street parking restrictions for car-free and car-capped development, including partial provision of car free and car capped development, and maintaining the on-street parking rights of existing occupiers;
  - Meeting the parking needs of disabled people.

### **When we expect car free and car capped housing**

- 5.4 Car free and car capped requirements apply to developments in particular locations and circumstances:
- we expect car free development in the Central London area, our town centres and other areas with high public transport accessibility (see Development Policy DP18);



- we will also expect car free development where the creation of a new access could lead to on-street parking problems where the loss of kerb space creates unacceptable parking pressure. Refer to Development Policy DP21, and the Access section of this guidance for more information);
  - Car capped development applies to schemes that would have an unacceptable impact on on-street parking conditions or highway management and safety through the introduction of new units with access to on-street parking permits (see Development Policy DP19).
- 5.5 Car-free or car-capped housing may be sought wherever development involves the creation of one or more additional dwellings – whether newly built, or created by a conversion or change-of-use.
- 5.6 Non-residential development can potentially involve car-free or car-capped designation if it creates a new non-residential address or involves a change-of-use that would otherwise increase the demand for car parking. This reflects the operation of the parking permit scheme, where permits relate to individual addresses.

### **Car free development**

- 5.7 Car-free development is development that does not have any car parking. No parking is provided or allowed on the site (except parking designated for disabled people), and all of the dwellings or units created are not entitled to on-street car parking permits. Where we seek car free development our parking standards do not apply as no parking is allowed.
- 5.8 Camden Development Policy DP18 states that we will expect development to be car free in the Central London Area, the town centres of Camden Town, Finchley Road/ Swiss Cottage, Kentish Town, Kilburn High Road and West Hampstead, and other highly accessible areas.
- 5.9 'Highly accessible areas' are considered to be areas with a public transport accessibility level (PTAL) of 4 and above. The PTAL of a specific site can be established using Transport for London's Planning Information Database website pages, which can be found at: <http://webpid.elgin.gov.uk/>.
- 5.10 Car free development will also be required where the creation of an access to allow off-street parking would reduce the availability of on-street parking (see also section 6 of this guidance on vehicle access), or would otherwise cause problems relating to highway management or safety. Policy DP19 of the Camden Development Policies states that we will resist developments that would harm on-street parking conditions or harm highway safety.

### **Car capped development**

- 5.11 Car-capped development is development in which all of the dwellings or units created are not entitled to on-street car parking permits, although some or all of the dwellings or units created may have a parking space

on the site, in accordance Camden's parking standards (see policy DP18 and Appendix 2 of the Camden Development Policies). It therefore differs from car free development because some on-site car parking is allowed, in line with Camden's parking standards.

- 5.12 Car capped development is sought in developments that are not in the locations listed in paragraph 4.7 above, where additional off-street spaces can be accommodated within the development without harming highway or on-street parking conditions, but where additional on-street car parking is not considered acceptable.

### **Circumstances where additional on-street car parking is not acceptable**

- 5.13 There are parts of the Borough where increasing competition for on-street parking through introducing additional premises with on-street parking rights is not acceptable. This is generally the case in the Central London Area, but also in many other areas where the parking spaces available cannot meet existing demand. This has implications for queuing and congestion, illegal parking, and highway safety. In these circumstances, if a developer will not enter into an agreement to designate the additional development as car-free or car-capped, planning permission will not be given.
- 5.14 In considering the ability of available on-street parking to accommodate the impact of additional development, we will have regard to the cumulative effect of proposals in the area, including unimplemented and partly implemented schemes already granted planning approval.
- 5.15 Our Parking and Enforcement Plan provides regularly updated permit data, which is used to establish levels of on-street parking pressure on each of the borough's roads. This information will be used when considering the acceptability of applications that would involve the potential allocation of additional on-street parking permits to the future occupiers of new development.

### **Implementation of on-street parking restrictions for car-free and car-capped development**

- 5.16 The whole of Camden has controlled parking and, in principle, is appropriate for car-free or car-capped development. On most days, most parking spaces on residential streets are only available to people holding a parking permit issued by the Council. In Controlled Parking Zones we can restrict access to on-street car parking because we can control the issuing of parking permits.

#### **Controlled Parking Zones**

Designated areas in regulations control how parking may be used on different sections of the street and at different times.

- 5.17 In order to be able to maintain car-free and car-capped development over the lifetime of a scheme, the developer will be required to enter into

a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), which would permanently remove the entitlement to an on street parking permit for each home created:

- 5.18 The legal agreement requires the owner of the development to inform incoming occupiers that they are not eligible to obtain a parking permit for on-street parking, or to purchase a space in a Council-controlled car park. This part of the legal agreement stays on the local search in perpetuity so that any future purchaser of the property is informed that occupiers are not eligible for parking permits.

### **Maintaining on-street parking rights of existing occupiers**

- 5.19 Existing parking rights can normally be retained on development sites, where it can be demonstrated that existing occupiers are to return to the address when it is completed. This is common where an existing dwelling or block is being extended or subdivided. It can also occur where a change-of-use brings a site or property into residential occupation.
- 5.20 If a development is to have new occupiers, existing parking rights will not apply, and the Council will apply its car-free / car-capped policies as set out in Development Policies DP18 and DP19.

### **Meeting the needs of disabled people**

- 5.21 Car-free development and car-capped development should be designed taking into account the needs of disabled car users. Blue Badge holders are able to use parking spaces in Controlled Parking Zones without a parking permit. Minimum parking standards apply to parking for people with disabilities, and 1 parking space for people with disabilities is required per 10 general-purpose dwellings (see Appendix 2 of the Camden Development Policies document). In addition, where car-free and car-capped developments contain wheelchair housing, the Council will expect a parking space to be provided for each wheelchair dwelling. Where a resident in need of a reserved disabled parking space moves into a development with no off-street spaces, the Council will consider a request for a designated disabled space on-street in the same way whether the development is formally car-free or not.

### **Further information**

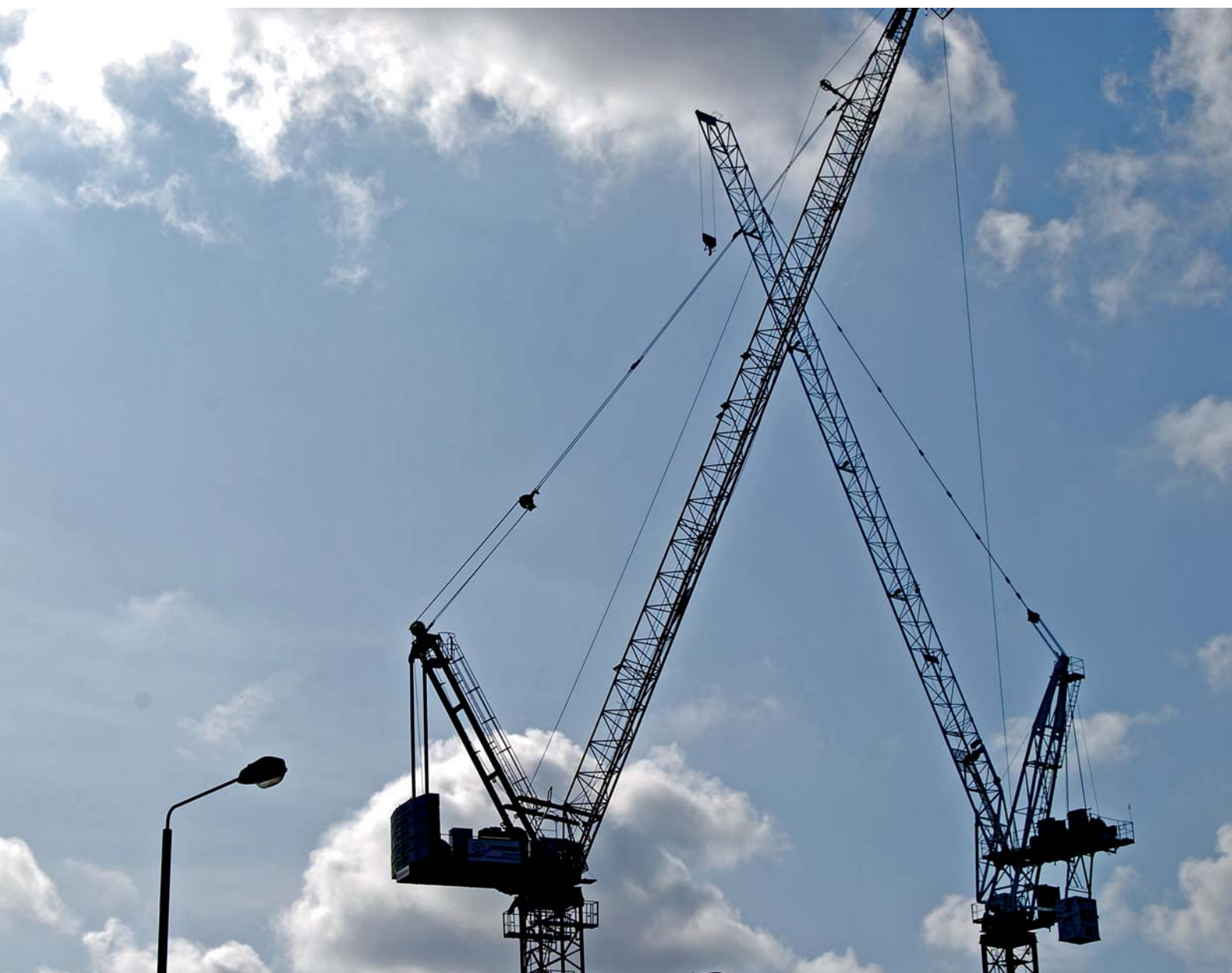
- 5.22 In addition the guidance above regard should also be had to Camden's Parking and Enforcement Plan (2004), which provides further information on our approach to managing parking in the borough.

Camden Planning Guidance

# Planning obligations

London Borough of Camden

CPG **8**



July 2015





## CPG8 Planning obligations

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## 1 Introduction

### What is Camden Planning Guidance?

- 1.1 We have prepared this Camden Planning Guidance to support the policies in our Local Plan documents. This guidance is therefore consistent with our adopted Core Strategy and Development Policies, and forms a Supplementary Planning Document (SPD) which is an additional material consideration in planning decisions.
- 1.2 The Council adopted CPG8 Planning obligations on 7 September 2011 following statutory consultation. This document has been subject to two updates:
  - Updated 25 February 2015 to take into account Camden's Community Infrastructure Levy (CIL) Charging Schedule following independent examination. Camden's CIL charging schedule came into effect on 1 April 2015.
  - Updated 17 July 2015 to include revised guidance for employment and business support.

Details on these updates and the consultation process are available at [camden.gov.uk/cpg](http://camden.gov.uk/cpg).

### What does this guidance cover?

- 1.3 The purpose of this guidance is to provide an indication of what may be required when the Council considers that a development proposal needs a planning obligation to be secured through a legal agreement. Planning obligations can be used positively and to address some of the negative impacts of development which would otherwise make a development unacceptable. This guidance also sets out how planning obligations will be operated alongside the Community Infrastructure Levy.

### When will it apply?

- 1.4 This guidance applies to all development where proposals are likely to be subject to planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended). In dealing with planning applications, local planning authorities consider each proposal on its merits and reach a decision based on whether the application accords with the development plan, unless material considerations indicate otherwise. Where applications do not meet these requirements, they may be refused.
- 1.5 In some instances, however, it may be possible to make development proposals which might otherwise be unacceptable, acceptable through the use of planning conditions or, where this is not possible, through planning obligations. Where there is a choice between imposing conditions or entering into a planning obligation a condition will be used.

- 1.6 The use of planning obligations is an important tool in managing the impacts of development and assisting the delivery of necessary infrastructure to support the London Plan and Camden's Local Plan documents. They will be used to ensure that the strategic objectives of the Core Strategy and Development Policies are met through requirements attached to individual development proposals.
- 1.7 The use of planning obligations is specifically required through policy CS19- Delivering and monitoring the Core Strategy although other Development Policies may be used to justify an obligation, particularly those relating to affordable housing, sustainability and transport. Further site specific requirements are set out in our adopted Site Allocations DPD. This guidance is intended to provide general advice on how planning obligations operate. Large scale developments generally have more significant and complex obligations attached to them, but obligations may also be applied to small scale developments to achieve measures such as car free housing or to manage the impacts of construction.

## 6 Affordable housing and housing in mixed-use development

- 6.1 The Council will use planning obligations to secure the provision of:
- an appropriate proportion of housing in mixed-use developments; and
  - an appropriate proportion of affordable housing in residential and mixed-use developments.
- 6.2 Contributions to housing and affordable housing may be required under Development Policy DP1 – Mixed-use development and Development Policy DP3 – Contributions to the supply of affordable housing. Policies DP1 and DP3 indicate that the contributions should normally be made on the development site that generates the policy requirement, but the policies provide for off-site contributions in a limited set of circumstances, and these contributions may exceptionally take the form of a payment in lieu.
- 6.3 CPG2 Housing sets out all the Council's usual arrangements for the provision of housing and affordable housing through policies DP1 and DP3, and housing in mixed-use, particularly section 1 Affordable housing and housing in mixed-use development. CPG2 gives guidance on providing housing and affordable housing on-site and off-site, including the use of planning obligations. Paragraphs 2.68 to 2.88 set out the limited circumstances where on off-site contribution may be accepted and the exceptional circumstances where this may take the form of a payment in lieu.
- 6.4 This section of the guidance provides guidance on how payments in lieu of housing/ affordable housing are calculated, but does not provide guidance on any other aspects of policy DP1 and policy DP3. To find out whether a payment in lieu might be acceptable, please also refer to paragraphs 2.68 to 2.88 of CPG2 Housing.



- 6.5 In summary:
- payments-in-lieu will only be accepted under exceptional circumstances where provision cannot practically be made on site

and the applicant demonstrates that no alternative site is available in the area;

- payments-in-lieu of housing and payments-in-lieu of affordable housing will be pooled into an affordable housing fund and used to assist provision of affordable housing
- where a payment-in-lieu at the level anticipated by this guidance would not be viable, arrangements for financial viability appraisal apply, as set out in paragraphs 2.60 to 2.68 of CPG 2 Housing; and
- where development proposals involve a shortfall of the housing or affordable housing required under Policies DP1 or DP3, the Council may negotiate a payment-in-lieu of the unmet requirement.

6.6 The Council will take the project management and implementation costs of off-site contributions into account. Obligations may need to include a payment to cover the costs of delivery of off-site contributions where such costs fall to the Council. These could include site searches/identification, feasibility work and associated professional costs and fees. The circumstances where these may be negotiated would include:

- Where there is no identified off-site solution in the agreement (requiring the Council rather than the developer to identify deliverable sites),
- Where there is no programmed project and/or planning approval in place (requiring the Council rather than the developer to undertake feasibility/design work), or
- Deliverability and sources of alternative funding for off-site solutions (e.g. an off-site solution may involve a Council site where approvals and funding are already in place).

6.7 The costs will be proportionate to the level of the obligation and will be capped at the accepted levels utilised by the applicant in their financial appraisals or agreed recognised source e.g. RICS. Where such costs are agreed to fall to the developer, no obligations will be required.

#### **How the payment-in-lieu levels have been set**

6.8 The Council has commissioned research on standard payment-in-lieu figures for housing and affordable housing based on the Camden Affordable Housing Viability Study 2009. The first part of this research (published as the Payments in Lieu Working Paper 2010 – see the evidence base and monitoring section of our Local Development Framework pages at [www.camden.gov.uk/ldf](http://www.camden.gov.uk/ldf)) compared the residual value of a range of market housing development types with and without the affordable housing element sought by Development Policy DP3. These comparisons show the additional value created by omitting affordable housing from the development. This has been converted to a payment per square metre of on-site affordable housing sought.

6.9 The second part of the research (published as the Mixed Use PIL Working Paper 2011 – see the evidence base and monitoring section of

our Local Development Framework pages at [www.camden.gov.uk/ldf](http://www.camden.gov.uk/ldf)) compared the residual value of a range of Central London office developments with and without the housing element sought by mixed-use Development Policy DP1. These comparisons show the additional value created by omitting housing from the development. This has been converted to two figures for payment per square metre of on-site housing sought, one for small floorspace additions and one for larger floorspace additions (for these larger schemes the housing sought would include affordable housing).

### The payment levels

- 6.10 The three discrete payment levels are set out in the table below. One level applies to residential schemes where a contribution to affordable housing is sought under Development Policy DP3. Two payment levels apply to non-residential schemes where a contribution to housing is sought under mixed use Policy DP1. The higher level applies to larger non-residential schemes which would also trigger an affordable housing requirement under Policy DP3. The higher figure takes account of the impact of affordable housing on viability, so it is not necessary to combine the different payment levels.
- 6.11 All figures are expressed as £ per square metre (gross external area). The figures are applied to the **on-site** target for housing/ affordable housing. They should not be applied to the total or additional floorspace of the proposed development, or to the off-site target for affordable housing.

**Figure 1. Housing/ affordable housing payment levels**

<b>Development type/ policy requirement</b>	<b>Level of payment in lieu</b>
Market residential scheme/ affordable housing policy DP3	£2,650 per sq m x on-site target for affordable housing
Non-residential with less than 2,000sq m additional floorspace (gross external area)/ mixed-use policy DP1	£700 per sq m x on-site target for housing
Non-residential with 2,000sq m additional floorspace or more (gross external area)/ policies DP1 and DP3	£1,350 per sq m x on-site target for housing

- 6.12 The payment levels in Figure 1 for non-residential schemes have been derived on the basis of developments that omit all types of housing requirement (under DP1 and DP3), and are based on costs and values for office developments. These figures may not be appropriate for a large non-residential scheme that only omits affordable housing, or where the primary use is a non-office use such as retail or a hotel.



Where the type of development proposed is substantially different from the developments used to set the payment levels, or the payment levels indicated in Figure 1 would not be viable, the Council will:

- apply the arrangements for financial viability appraisal set out in paragraphs 2.59 to 2.67 of CPG2 Housing; and
- negotiate a payment on the basis of the financial viability of the particular development.

- 6.13 For a primarily residential scheme with a non-residential element of less than 1,000sq m gross, if the Council agrees that a payment in lieu of affordable housing is appropriate, the level of payment will be guided by policy DP3 and the figure of £2,650 per sq m of on-site target for affordable housing.

#### **GROSS EXTERNAL AREA**

Calculations in this guidance are based on Gross External Area (GEA). This is generally the total area of every floor in the building including common areas and external walls. Payment-in-lieu figures have been calculated on that basis.

Floorspace measurements are sometimes provided which exclude common areas and exterior walls of the building (this often applies to flats), or just exclude the exterior walls (this often applies to houses). Where a figure for Gross External Area including common areas is not available, the Council will consider using a conversion factor to assess the housing/ affordable housing requirement and to calculate the payment in lieu.

- To convert to GEA where common areas and exterior walls have been excluded - multiply by 1.25.
- To convert to GEA where only exterior walls have been excluded – multiply by 1.053.

A fuller explanation of the terms Gross External Area and Gross Internal Area is given in paragraph 2.25 of CPG2 Housing.

#### **How to calculate affordable housing payments under policy DP3**

- 6.14 Where the payment is in lieu of affordable housing under Development Policy DP3, calculations of the payment will proceed in accordance with CPG2 Figure 2 and paragraphs 2.31-2.32 and 2.35, as follows:
- the capacity of the site will be assessed and be converted into a percentage target for on-site affordable housing;
  - the percentage target for on-site affordable housing will in turn be assessed and converted into a floorspace figure (GEA);
  - the target for on-site affordable housing floorspace will be multiplied by the payment per square metre figure of £2,650.
- 6.15 Please refer to CPG2 for full details of the factors which influence capacity and on-site affordable housing target. In summary:

- assessment of capacity is based on the number of additional homes proposed and the gross floorspace addition including common areas;
- capacity is assessed as the number of additional homes proposed or 1 home per additional 100sq m (gross), whichever is the greater;
- capacity is rounded to the nearest whole number;
- the on-site affordable housing target is assessed as 10% where capacity is 10 additional homes plus 1% for every further increase of capacity by 1 home, up to a target of 50% where capacity is 50 additional homes.

**Figure 2. Example calculations:  
payments in lieu of affordable housing under policy DP3**

<b>Example 1</b> 21 additional homes with a built floorspace of 1,750sq m gross	Site capacity = 21 homes
Percentage target for on-site affordable housing	= 21%
Floorspace target for on-site affordable housing	= 1,750 x 21% = 367.5sq m
Payment-in-lieu of affordable housing	= 367.5sq m x £2,650 = £973,875
<b>Example 2</b> 22 additional homes with a built floorspace of 2,360sq m gross	Site capacity = 24 homes
Percentage target for on-site affordable housing	= 24%
Floorspace target for on-site affordable housing	= 2,360 x 24% = 566.4sq m
Payment-in-lieu of affordable housing	= 566.4sq m x £2,650 = £1,500,960

### **How to calculate housing payments under policy DP1**

6.16 Where the payment is in lieu of housing under Development Policy DP1, calculations of the payment will proceed as follows:

- the additional floorspace proposed will be multiplied by the 50% target for on-site housing to produce a floorspace target (GEA);
- where the additional floorspace proposed is less than 2,000sq m (GEA)

- the on-site housing floorspace target is less than 1,000sq m (GEA)
- consequently no contribution to affordable housing would be sought under policy DP3
- the target for on-site housing floorspace will be multiplied by the payment per square metre figure of £700;
- where the additional floorspace proposed is 2,000sq m (GEA) or more
  - the on-site housing floorspace target is 1,000sq m (GEA) or more
  - consequently an on-site contribution to affordable housing would be also be expected under policy DP3
  - the target for all on-site housing floorspace will be multiplied by the higher payment per square metre figure of £1,350.

**Figure 3. Example calculations:  
payments in lieu of housing under policy DP1**

<b>Example 1</b>	= 800sq m
Total floorspace addition	
Target for on-site housing	= 800 x 50% = 400sq m
Affordable housing sought?	No
Payment level	£700 psm
Payment-in-lieu of market housing	= 400sq m x £700 = £280,000
<b>Example 2</b>	= 2,400sq m
Total floorspace addition (NB an on-site housing contribution would be required unless there is clear evidence that off-site provision is more appropriate)	
Target for on-site housing	= 2,400 x 50% = 1,200sq m
Affordable housing sought?	Yes
Payment level	£1,350 psm
Payment-in-lieu of all housing	= 1,200sq m x £1,350 = £1,620,000

**Figure 4. The financial contributions**

	<b>Capital cost</b>	<b>Maintenance</b>	<b>Design and Project Management</b>
<b>Self-contained homes in Use Class C3</b>			
One bedroom home	£385	£386	£46
Two bedroom home	£663	£561	£80
Three bedroom home	£1,326	£832	£159
Four bedroom home	£1,537	£921	£184
<b>Student housing, hotels and hostels</b>			
Single room	£297	£297	£37
Double room	£593	£594	£71
<b>Commercial/ higher education development in the Central London Area</b>			
Per 1,000 sq m	£1,265	£1,284	£152

- 11.14 Please refer to CPG 6 Amenity for the full explanation and worked examples.



Strategic Planning and Implementation

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