

Delegated Report		Analysis sheet	Expiry Date:	28/08/2017
(Members Briefing)		N/A / attached	Consultation Expiry Date:	19/01/2018
Officer			Application Number(s)	
Gideon Whittingham			2017/7020/P	
Application Address			Drawing Numbers	
Spiritualist Temple Rochester Square London NW1 9RY				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Retention of building with exception to demolition of single storey rear wing; refurbishment for continued community use (Class D1). Erection of two storey rear extension, plus basement, comprising 5 self-contained flats (Use Class C3) comprising 1 x studio and 4 x 2 bed, with associated cycle parking and landscaping including 4no. trees.				
Recommendation(s):		Refuse Planning Permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	167	No. of objections	164
					No. of support	0
Summary of consultation responses:	<p>Multiple site notices were displayed from 29/12/2017 (expiring on 19/01/2018) and a public notice was displayed in the local press from 28/12/2017 (expiring on 18/01/2018).</p> <p>At the time of this report being written, 164 objections (including petitions) had been received.</p> <p>The matters of objection raised related to:</p> <p style="padding-left: 40px;"><i>Matters relating to Land use principles:</i></p> <ul style="list-style-type: none"> • Provides a needed place of/for worship which would be lost • The existing building requires limited renovation • The church is a social asset • The diminution of the church and its congregation is queried • The future use must restrict operating hours and a stipulation that it may not apply for a license to serve/sell alcohol. • Quality of community space provided is lesser than the existing – included a large hall and garden • The proposed new community space is of poor quality <p><i>Officer's response: see section on Land use principles.</i></p> <p style="padding-left: 40px;"><i>Matters relating to Impact on neighbouring amenity:</i></p> <ul style="list-style-type: none"> • Potential level of noise and light pollution • Lead to an unacceptable loss of light and outlook for the residents of 29-36 Rochester Square • Lead to overlooking, loss of privacy, noise and disturbance due to the proximity of the dwelling units and community spaces • Inevitably be noise from the building, from users as they arrive and depart <p><i>Officer's response: see section on Impact on neighbouring amenity.</i></p> <p style="padding-left: 40px;"><i>Matters relating to Conservation & Design:</i></p> <ul style="list-style-type: none"> • Historical nature of the site would be lost • High level of detailed design required • Important asset to the conservation area – should be listed • Demolition and loss of building • Overdevelopment of site, cramming a substantial building unacceptably close to the neighbouring buildings <p><i>Officer's response: see section on Conservation & Design.</i></p> <p style="padding-left: 40px;"><i>Matters relating to Basement works:</i></p> <ul style="list-style-type: none"> • Excavation of the basement may undermine foundations of neighbouring buildings, gardens, and below ground services. <p><i>Officer's response: see section on Basement works.</i></p>					

	<p><i>Matters relating to Trees:</i></p> <ul style="list-style-type: none"> • Loss of open aspect and open space to conservation area • Loss of garden • At least three mature trees, including what should have been a preserved lime tree, have been axed without the permission of the council <p><i>Officer's response: see section on Trees.</i></p> <p><i>Matters relating to Transport:</i></p> <ul style="list-style-type: none"> • Construction noise and traffic congestion <p><i>Officer's response: see section on Transport.</i></p> <p>A significant portion of the objections related to matters which, whilst material would receive limited weight in the determination of this application. These matters included:</p> <ul style="list-style-type: none"> • Ownership of the site • The owner's operation of the site • The owner's closure of the site • The nature of the occupation of the site currently • The questionable funding of the host organisation • Specific legalities of ownership between respective representatives • Previous behaviour of the applicant/agent • Motivations of the applicant/agent
<p>CAAC/Local groups comments:</p>	<p>The Camden Square CAAC objected for the following matters:</p> <ul style="list-style-type: none"> • The new build represents a significant increase in bulk, through the proposal scale. • Relationship of new building with temple is unsympathetic. • Concern with impact on amenity of neighbours • Loss of open garden • Function of temple is unclear and may harm the existing amenity levels • Concerns regarding ownership of the site and financial base unclear • Concerns for layout of new residential accommodation <p><i>Officer's response: see sections on Conservation & Design, Impact on neighbouring amenity.</i></p>

Site Description

The application site is located on Rochester Square, to the west of Nos.29-36 (cons) Rochester Square and to the east Nos.144, 146 and 150 (Julian Court) Camden Road.

The site is located within the Camden Square Conservation Area.

The subject building is also highlighted as a positive contributor within the Camden Square conservation appraisal and management strategy.

The site recently contained a TPO tree amongst others which was removed and is currently being investigated as part of an enforcement enquiry.

Relevant History

Spiritualist Temple:

- 2016/3442/PRE - Redevelopment of site involving demolition of the building and erection of a 3-storey building, plus basement level, to accommodate a new flexible arts-based community space (replacement D1 use) and 6 dwellings (Class C3). Advice issued 05/10/2016
- 2016/6157/PRE - Redevelopment of site involving community space increased to 296m² NIA, space expected to house approximately 15 affordable studios and workspaces to be offered to local creative's, ground floor to house a substantial exhibition space also acting as a venue for classes, workshops and community events, proposed community use to be fully accessible and incorporates a DDA compliant lift, together with disabled access WC. Advice issued 10/01/2017
- 2017/5394/PRE - Redevelopment of site involving community space increased to 296m² NIA, space expected to house approximately 15 affordable studios and workspaces to be offered to local creative's, ground floor to house a substantial exhibition space also acting as a venue for classes, workshops and community events, proposed community use to be fully accessible and incorporates a DDA compliant lift, together with disabled access WC.
- 2016/7088/P - Redevelopment of site involving demolition of the building (Use Class D1) and erection of a 3-storey building, plus basement level, to accommodate a community centre (Use Class D1) and 9 self contained flats (Use Class C3) comprising 8 x 2 bed and 1 x 1 bed (of which 6 would be market units and 3 affordable) , together with landscape works. Currently under officer assessment
- 2016/3236/T - (Application for works to Tree covered by a TPO [REF. C10-T39]) - REAR GARDEN: 1 x Lime - fell to ground level. Approve Works 09/09/2016

Rear Garden of 144-146 Camden Road:

- 2010/2152/P: Erection of a two storey residential dwelling house (class C3) within rear garden of 144 -146 Camden Road fronting Rochester Square. - Granted planning permission subject to a section 106 legal agreement 02/11/2010

Relevant policies

National and Regional Policy

National Planning Policy Framework (NPPF) 2012
London Plan 2016

Camden Local Plan 2017

Policy G1 Delivery and location of growth

Policy H1 Maximising housing supply

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

Policy H4 Maximising the supply of affordable housing
Policy H6 Housing choice and mix
Policy H7 Large and small homes
Policy C1 Health and wellbeing
Policy C2 Community facilities
Policy C5 Safety and security
Policy C6 Access for all
Policy E1 Economic development
Policy E2 Employment premises and sites
Policy A1 Managing the impact of development
Policy A3 Biodiversity
Policy A4 Noise and vibration
Policy A5 Basements
Policy D1 Design
Policy D2 Heritage
Policy CC1 Climate change mitigation
Policy CC2 Adapting to climate change
Policy CC3 Water and flooding
Policy CC4 Air quality
Policy CC5 Waste
Policy T1 Prioritising walking, cycling and public transport
Policy T2 Parking and car-free development
Policy T3 Transport infrastructure
Policy T4 Sustainable movement of goods and materials
Policy T1 Prioritising walking, cycling and public transport
Policy T2 Parking and car-free development
Policy T3 Transport infrastructure
Policy T4 Sustainable movement of goods and materials
Policy DM1 Delivery and monitoring

Camden Planning Guidance

Adopted March 2018:

CPG Housing (interim)
CPG 2 Housing, May 2016 (updated March 2018)
CPG Amenity
CPG Basements
CPG Biodiversity
CPG Community uses, leisure facilities and pubs
CPG Employment sites and business premises
CPG Planning for health and wellbeing

Adopted Prior:

CPG 1 Design (July 2015)
CPG 3 Sustainability (July 2015)
CPG 6 Amenity (September 2011)
CPG 7 Transport (September 2011)
CPG 8 Planning obligations (July 2015)

London Borough of Camden Strategic Housing Market Assessment (SHMA) (February 2016)
Camden Square conservation area appraisal and management strategy (2011)

Assessment

1. Proposal:

1.1 The application proposes:

- The part demolition of the rear 'function room/kitchen and auxiliary space' of 70sqm to the existing single storey building highlighted as a positive contributor within the Camden Square conservation appraisal and management strategy.
- The installation of a mezzanine floor providing 79sqm to the existing single storey building
- The erection of a 2 storey residential building (5.8m in height from pavement floor level [9m from basement floor level] x 9.6m in width x 23m in depth)
- Construction of a basement floor level at 3.2m in depth with 74% site coverage.
- The residential building would comprise 5 residential units (1 x 1p studio and 4 x 2b 3p) at all floors including basement totalling 317qm.
- The building would be built of a light brick facade with Cor-ten steel elements and a green/brown roof.

1.2 The main issues for consideration therefore are:

- Land use principles
- Tenure, unit size mix and quality of residential accommodation
- Affordable Housing
- Impact on neighbouring amenity
- Conservation & Design
- Basement works
- Trees
- Transport
- Sustainable design and construction
- S106 / Other Matters

2. Land use principles

- 2.1 A diverse range of community facilities helps to enhance quality of life and social cohesion, improve personal health and wellbeing, instil a sense of community identity and belonging and may help reduce crime and anti-social behaviour.
- 2.2 Policy C2 sets out how the Council will ensure that there is provision of community facilities to meet the needs of a growing population and safeguard against the loss of viable community facilities. This is linked to the Camden Plan's aims of 'investing in our communities to ensure sustainable neighbourhoods' and 'creating the conditions for and harnessing the benefits of economic growth'.
- 2.3 Community facilities are vulnerable to pressure from uses which attract higher land values and once they are lost cannot easily be replaced. The Council will normally seek the retention of community facilities except in defined circumstances. This includes where there is suitable replacement provision secured through the use of a planning obligation. We will assess whether the accessibility of the replacement provision satisfactorily addresses the needs of the facility's users and how this addresses relevant plans or programmes of re-provision of public sector bodies. In exceptional cases, the Council may seek a financial contribution based on the cost of providing a replacement facility. The Council will expect that replacement facilities are sufficient in size and a high quality design which facilitates the successful operation of the community use.
- 2.4 In this instance, the community facility would be retained, albeit with the removal of a rear extension, which would be replaced in terms of floorspace by a mezzanine floor. The demolished element in particular serves as a 'function room/kitchen and auxiliary space' of 70sqm. The replacement mezzanine floor would be 79sqm. The resulting ceiling heights would be 2.6m at ground floor level and 2.5m at mezzanine level. Within this context and in

review of the objectives of Policy C2, the proposal would be acceptable and policy compliant.

3. Tenure, unit size mix and quality of residential accommodation

3.1 The provision of additional residential floorspace within the borough is strongly supported. Policies H6 and H7 of the Camden Local Plan states that the Council will aim to secure a range of homes of different sizes in all residential developments.

Density

3.2 In order to make the most efficient use of land and meet the objectives of policy H1, higher density development is encouraged in appropriately accessible locations and there is an expectation that densities will be towards the higher end of the density ranges set out in the London Plan. The emphasis on higher density development should be balanced with other considerations such as neighbouring amenity and securing the height, scale and massing appropriate to an area in terms of good design.

3.3 London Plan policy 3.4 sets out the considerations for determining appropriate density levels for sites. Using Table 3.2 (density matrix) of the London Plan the local built environment characteristics are identified as 'urban' and the site has a PTAL rating of 6a. Based on the applicants submission, the proposed development would provide 5 units, with the number of habitable rooms 13, across a site footprint of 0.041ha (approx. 410m²).

3.4 This equates to a density of 122 units/ha and 319 habitable rooms/ha which falls within the range of the density matrix within the London Plan for 'urban' sites (70-260 units/ha and 200-700 habitable rooms/ha). The acceptable density of the proposal is mainly determined by those matters assessed in the 'Conservation & Design', 'Tenure, unit size mix and quality of residential accommodation' and 'Impact on neighbouring amenity' sections within the body of the report. Given the concerns raised in these sections of the report, it is considered the development is significantly constrained and results in overdevelopment of the site.

Housing Mix, Unit Size and Quality of Accommodation

3.5 The proposed development would comprise 5 market units. Policy H7 aims to secure a range of homes of different sizes that will contribute to creation of mixed, inclusive and sustainable communities and reduce mismatches between housing needs and existing supply. In order to define what kind of mix should be provided within residential schemes, policy H7 includes a Dwelling Size Priorities Table (small units are described as studio, 1 & 2-bed, with large units being 3+bed units). A scheme of this size should meet the priorities outlined in the Dwelling Size Priorities Table in full.

Unit size	Studio units	2-bed units	Total
Market	1	4	5
Total	1	4	5

3.6 In terms of the mix of market housing, the proposal would bring forward 4 x 2-bed units all of high priority, which, whilst acceptable, the provision of larger 3-bed units could well be accommodated given the assessment below in 'Design and layout' and the inclusion of the floorspace provided by the studio, which is of lower priority. Notwithstanding this, the market housing would contribute to meeting the priorities set out in the Dwelling Size Priorities Table.

Design and layout

3.7 The schedule of accommodation is as follows:

- Unit 1 (basement and ground floor level) - 2 Bed, 3 person duplex 75m²
- Unit 2 (basement and ground floor level) - 2 bed, 3 person duplex 72m²

- Unit 3 (basement and ground floor level) - 2 Bed, 3 person duplex 70m²
 - Unit 4 (first floor level) - Studio 37m²
 - Unit 5 (first floor level) - 2 Bed, 3 person duplex 61m²
- 3.8 The London Plan Housing Standards SPG sets out acceptable room sizes, based on the number of potential occupiers and bedrooms. All 5 flats would meet or exceed these standards (70m² for 2b 3p flats and 37m² for 1b 2p flats).
- 3.9 The general layout of the units is acceptable providing functional and practical spaces. The ceiling heights of the residential spaces comply with the 2.3m minimum standards within CPG2 (Housing). No parts of the internal spaces are below 2.3m with the majority of the habitable rooms benefiting from a height of at least 2.5m. All of the units have openable doors and windows (i.e. passive/natural ventilation).
- 3.10 Due to the constraints of the site, a number of flats are located in areas that would receive limited daylight, sunlight and outlook, within single/dual aspect accommodation.
- 3.11 Average Daylight Factor (ADF) is a measure of the level of daylight in a room. It can be used to establish whether a room will have a predominantly daylit appearance. It provides light levels below which a room should not fall even if electric lighting is provided. The calculation of ADF provides a more sophisticated method of calculating the daylight level experienced within a room than Vertical Sky Component (VSC - The level of ambient daylight received by a window) as it takes into account the size and reflectance of room's surfaces and the number, size and transmittance of its window(s), as well as the ambient daylight level (VSC) received at the window(s).
- 3.12 The minimum recommended ADF levels for different room types are as follows:
- Kitchens: 2%;
 - Living rooms: 1.5%;
 - Bedrooms: 1%.
- 3.13 The applicants analysis using ADF, shows the majority of proposed habitable spaces would be acceptable, save for all bedrooms within Unit 4. The bedrooms only reach 0.91% and 0.82% and therefore fail recommended ADF levels for bedrooms.
- 3.14 With regard to outlook:
- Unit 1 would be single aspect, looking out onto the shared open entranceway of the development, the boundary wall with Nos.29 -36 Rochester Square or flank elevation to the adjoining flat at a distance of 2.1-2.5m.
 - Unit 2 would be single aspect, looking out onto the shared open entranceway of the development, the boundary wall with Nos.29 -36 Rochester Square or flank elevation to the adjoining flat at a distance of 3m.
 - Unit 3 would be single aspect, looking out onto the north and across Rochester Square, through the newly planted gardens.
 - Unit 4 would be dual aspect, looking firstly out Julian Court to the west (4.7m) and out onto the shared open entranceway of the development, the boundary wall and rear gardens of Nos.29 - 36 Rochester Square or flank elevation to the adjoining flat at a distance of 2.1-2.5m.
 - Unit 5 would be triple aspect, looking firstly out Julian Court to the west (4.7m), out onto north and across Rochester Square, over the newly planted gardens and east onto the shared open entranceway of the development, the boundary wall and rear gardens of Nos.29 -36 Rochester Square.

- 3.15 With regard to privacy, the site is tightly constrained with limited outlook given the proximity of neighbouring buildings, as a result, windows facing east onto Nos.29 -36 Rochester Square would require obscure glazing to ensure privacy (depicted on plan for some but not all windows). In addition COR-TEN louvres enclose the lightwells and terraces in an attempt to reduce overlooking between units across the courtyard and neighbouring properties. This would go some way to limit the opportunity to overlook neighbouring properties, particularly those on Nos.29 -36 Rochester Square, but this would compound the issues of outlook and daylight/sunlight levels for the new units. It is also unclear whether or not the sunlight/daylight assessment has taken into account the louvre COR-TEN enclosing each lightwell. Should this not have been included, it is likely matters would be significantly worse.
- 3.16 Given the constraints of the site, each unit is afforded less than the 9sqm for private amenity space, as per CPG Open Space. Areas at ground floor level could be used for amenity, however these are for access communally and would not outweigh the private amenity space under provision.
- 3.17 Within this context, the majority of units would have poor outlook, these are typically very short, less than 3m and terminated or obscured to a great degree by brick walls, across communal areas (such as pathways) onto enclosed lightwells (by COR-TEN louvres), set directly behind trees or through 'slit' windows which would need to be obscurely glazed to ensure privacy.
- 3.18 It is therefore considered that the proposal for 5 units within this new building, would result in substandard living accommodation for its perspective occupiers and a substandard quality of life due to poor outlook, access to light and corresponding levels within the units. This would be contrary to policy which requires new developments to provide an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes and amenity space and external amenity space.

4. Affordable housing

- 4.1 Government guidance seeks to limit development contributions from small-scale developers by setting a national threshold of 10 homes and 1,000 sq m which developments should exceed for affordable housing contributions to be sought. The Camden SHMA estimates the borough's requirement for additional affordable homes to be around 10,000 homes for the 15-year Plan period, compared with a Local Plan target of 5,300 additional affordable homes based on likely delivery. Given the gap between the requirements and the likely delivery, the Council has secured an exception to the national threshold through the Local Plan process. Consequently an affordable housing contribution is sought from all developments that provide one or more additional homes and involve an addition to residential floorspace of 100sqm GIA or more. The purpose of the sliding scale is to achieve the maximum reasonable contribution to affordable housing overall without deterring small-scale development.
- 4.2 Local Plan policy H4 (Maximising the supply of affordable housing) requires an affordable housing contribution for all schemes that provide 1 or more additional homes and involves an addition of 100sqm (GIA) or more of residential floorspace. As the proposal would provide 5 new homes with 317sqm (GIA) an affordable housing contribution would be required.
- 4.3 The contribution is calculated using the target floorspace multiplied by £2,650 per sqm (the level of contribution per sqm described in CPG8). Policy H4 uses a sliding scale to calculate the target floorspace. The target starts at 2% for the first 100sqm GIA of floorspace which is considered to be the capacity for one additional home. This increases on a 'straight-line' basis with each additional 100sqm (i.e capacity for a further additional dwelling) increasing the target by 2%.

4.4 As the calculation relies on Camden Planning Guidance, (CPG8) which has not yet been updated to respond to the Local Plan, the target is applied to gross external area as opposed to gross internal area, so in this instance the target would be 6% of 396sqm (317sqm (GEA = GIA x 1.25)) or 23.7sqm. Policy H4 acknowledges that smaller schemes cannot provide the target floorspace on site and requires a payment in lieu, which in this instance would be £62,805 (23.7sqm x £2,650). Such a contribution would be secured via a section 106 agreement. In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

4.5 The applicant has indicated that the viability of the development would limit any potential contribution offer, however this has not been supplemented with a financial viability appraisal to be verified by the Council as per policy guidance.

5. Impact on neighbouring amenity

Policy review

5.1 Policies G1, A1, DM1 and CPG6 (Amenity) are relevant with regards to the impact on the amenity of residential properties in the area. Any impact from construction works is dealt with in the transport section.

Sunlight/Daylight

5.2 The development site is located to the west of Nos.29-36 (cons) Rochester Square and Rear Garden of 144-146 Camden Road and to the east of Nos.144, 146 and 150 (Julian Court) Camden Road, all of which are in residential use.

5.3 The facing elevation of 150 (Julian Court) Camden Road includes a number of windows, the closest (4.6m) serve bathrooms, with those set back further serving habitable rooms with balconies (14.3m).

5.4 The facing elevations of Nos.29-36 (cons) Rochester Square are between 7.6m – 9m in distance and serve a mixture of habitable rooms and bathrooms.

5.5 The flank elevation of the adjacent building, known as 'Rear Garden of 144-146 Camden Road', does not include windows. The rear elevation at ground and first floor level includes windows serving habitable rooms and would be 8m in distance from the development, albeit at an oblique angle.

5.6 The application is supported by the sunlight and daylight assessment by relevant specialists who state that the proposal would give rise to no material alterations to the daylight and sunlight levels, such that they will remain a fully BRE adherent daylight and sunlight position around the site. This includes specific assessments using Vertical Sky Component (VSC), namely the level of ambient daylight received by a window and daylight distribution (DD), namely analysis which considers the area of a room which can receive an unobstructed view of the sky.

5.7 In respect of No.150 (Julian Court) Camden Road, the assessment indicates the development site will comfortably meet the BRE Guidelines recommendations in relation to both the VSC and DD.

5.8 In respect of Nos.29-36 (cons) Rochester Square the supporting assessment indicates the development site would fail to meet the BRE Guidelines recommendations in relation to VSC, specially the lower ground floor level rooms, however it is acknowledged this would be marginal (0.76, thereby 0.4 below the guideline). This position is however contradictory to the empirical data provided in the appendix which states all windows would pass BRE Guidelines.

5.9 In respect of Rear Garden of 144-146 Camden Road, the assessment indicates the

development site will comfortably meet the BRE Guidelines recommendations in relation to both the VSC and DD.

- 5.10 Within this context, the impact of the proposal upon neighbouring residential properties in terms of sunlight/daylight is considered acceptable.

Privacy / Outlook

- 5.11 Introducing a greater potential for close distance mutual overlooking, resulting in a loss of privacy to the occupiers of each building would be contrary to CPG6 (Amenity). 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. As the proposal would result in a closer proximity to the facades of Nos.29-36 (cons) Rochester Square, 150 (Julian Court) Camden Road and Rear Garden of 144-146 Camden Road, the windows facing are depicted on plan to be obscurely glazed, whilst balconies or amenity spaces are set behind louvres.

- 5.12 In mind that these design solutions would typically be conditioned, the proposal would not exert material harm increase in noise nuisance, disturbance, loss of privacy or overlooking to the detriment of adjacent occupiers.

- 5.13 Those residential properties including Nos. 144 and 146 Camden Road (in excess of 18m distance), located on the northern and southern side of Rochester square (beyond the highway), by virtue of their location, orientation and distance would be of no greater detriment as a result of the proposal in terms of amenity levels (sunlight/daylight) than the existing site arrangement.

Plant

- 5.14 Noting the existing nature of the site, the submission depicts no plant as a result of this proposal. Any additions would require full planning permission and should be submitted in mind of maintaining the design principles and character of this scheme and ensuring residential amenity levels.

Noise nuisance of retained use

- 5.15 The existing community use is without condition of a planning consent, therefore restrictions in terms of site management or hours of use could not themselves mitigate issues of noise disturbance could not be retrospectively attached as part of this permission given the nature of works taking place to the community facility.

6. Conservation & Design

The Existing Building

- 6.1 The Rochester Square Spiritualist Temple is located at the rear of Nos 144-150 Camden Road. It is an arts and crafts building designed by T. Yorke with an orange-red brick base and rendered gable. Founded in 1926, its members included Sir Arthur Conan Doyle and journalist Hannen Swaffer. A later rear extension, brick built and considered utilitarian by officers, was erected and serves as a 'function room/kitchen and auxiliary space' of 70sqm.

- 6.2 The building is located in the Camden Square conservation area.

- 6.3 On page 22 of the Camden Square conservation appraisal and management strategy (2nd to last paragraph of page) states that "the usual concept of a square is harder to decipher here [Rochester Square]; from the beginning a nursery garden was located in the centre of the Square, and houses in Stratford Villas backed onto this nursery on the east side. Plots were leased for small developments as the Estate started tentatively. A feature of this smaller development was that mews were not developed. In the 1920s space in the rear gardens of Camden Road houses was filled by the Spiritualist Temple."

- 6.4 The subject building is also highlighted as a positive contributor within the Camden Square conservation appraisal and management strategy.
- 6.5 The Council places great importance on preserving the historic environment. Under the Planning (Listed Buildings and Conservation Areas) Act, the Council has a responsibility to have special regard to preserving listed buildings and must pay special attention to preserving or enhancing the character or appearance of conservation areas. The National Planning Policy Framework states that in decision making local authorities should give great weight to conservation of designated heritage assets in a manner appropriate to their significance. The Council expects that development not only conserves, but also takes opportunities to enhance, or better reveal the significance of heritage assets and their settings.
- Policy review*
- 6.6 Policy D1 and D2 relate to the design and heritage respectively.
- 6.7 Part D2f confirms that the Council will “resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area.
- 6.8 Part D2h states the Council will “preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden’s architectural heritage.”
- 6.9 The specific policies should be read in conjunction with, inter alia, the section of the policy which also refers to harm caused to heritage assets (the conservation area). It states that “The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.”
- 6.10 The policy also refers to ‘Other heritage assets and non-designated heritage assets’ stating that “The Council will seek to protect other heritage assets including non-designated heritage assets (including those on and off the local list), Registered Parks and Gardens and London Squares.
- 6.11 The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.”
- 6.12 Policy D1 Design states that the Council will seek to secure high quality design in development. The Council will require that, inter alia, development:
- a. respects local context and character;
 - b. preserves or enhances the historic environment and heritage assets in accordance with “Policy D2 Heritage”;
 - f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
 - j. responds to natural features and preserves gardens and other open space;
 - k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
- 6.13 Section 7.5 of the Camden Square Conservation Area Management Strategy confirms that:
- “Within the conservation area demolition of an unlisted building requires conservation area consent. Any proposals for the demolition of an unlisted building that would harm the character of the conservation area would require clear and convincing justification. The PPS 5 requires all applicants to provide a level of information that is proportionate to the significance of the

asset and the potential impact upon that significance of the proposals. (Policy HE6 clause 68). The loss of buildings which make a positive contribution will be resisted unless there are exception circumstances which would outweigh the case for retention.”

- 6.14 The Camden Square conservation area is a designated heritage asset.
- 6.15 Paragraph 132 of the NPPF requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.
- 6.16 Any harm to the conservation area from the loss of the existing building would result in less than substantial harm to the conservation area. The NPPF under para 134 requires the harm to be weighed against the public benefit of the proposal including optimum viable use of the site.
- 6.17 NPPF designates the building a non-designated heritage asset. The guidance states at para 135 that:
- “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”*
- 6.18 Section 7 of the NPPF is concerned with good design. Paragraph 60 states that, “Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”
- 6.19 Under section 72 of the Planning (listed building and conservation area) Act 1990 requires special attention to be paid to the desirability of preserving and enhancing the character and appearance of a conservation area. This has been given great weight and importance as is required by law.

Assessment of Significance

- 6.20 The existing building is, architecturally, a restrained example of arts and crafts influenced chapel by architect T Yorke of Highgate. The temple contains architectural iconography associated with the Spiritualist movement including two foundation stones; plaster mould of preying hands on the street frontage; remembrance board; wall tablet; board hanging over the north wall and mostly notably three stain glass round arched windows which relate with the Spiritualists National Unions motto; and Sven pointed engraved glass star which signifies the seven principles of Spiritualism
- 6.21 To the rear however, is a later rear extension, brick built and considered utilitarian by officers, with no cues or detailing taken from the main building in design terms. This was erected some time after the main building was constructed and serves as a ‘function room/kitchen and auxiliary space’ of 70sqm. Within this context, the primary contribution to the conservation area lies in the main building.
- 6.22 In line with Paragraph 132 of the NPPF, the Camden Square conservation area is the designated heritage asset. In such a large area different elements of the designated heritage asset will have varying levels of significance and in this case, it is considered the significance of the rear extension is of limited value and therefore less weight should be given to its conservation (as opposed to the main building).

6.23 The scheme would provide for a high quality and appropriate form of development (in this instance, as opposed to the overriding matters raised as part of this report), and as has been noted, the main building would be retained which itself offers the principal contribution to the conservation area. The scheme would thus ensure that the existing building on this site would not offer a lesser positive contribution and would be able to preserve the character and appearance of the conservation area.

6.24 The loss of the existing rear extension only, is thus not considered to be materially harmful. This is because of the small level of significance it offers to the conservation area. Furthermore, the benefit of providing a contextually sympathetic new building is considered appropriate.

Proposed scheme - Design and Scale

6.25 The form, detailed design and use of materials is considered to be broadly acceptable with the character and appearance of the area.

6.26 The height of the proposed building would sit below the eave height of retained temple building and the adjacent terraced houses, thereby responding to the rhythm; plot widths and two storey mews scale or the nearby houses. There is sufficient informality with the modern design which will appropriately preserve the character and appearance of the surrounding area. There is a simplicity of detail and use of high quality materials which is consistent with other new buildings in the area and what is seen above the front boundary wall is considered satisfactory.

Conclusion

6.27 Taking the above matters into consideration, it is concluded that the proposal would preserve the character and appearance of the CA and would not meet the requirements of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.28 This has been given great weight and importance as is required by law.

6.29 For the same reasons it would accord with paragraph 132, 134 or 135 of the Framework, with policies D1 and D2 of the Camden Local Plan and policies 3.5, 7.4, 7.6 and 7.8 of the London Plan (LP).

7. Basement Works

7.1 The impact of basement development is principally considered by policy A5 (Basements) which is supported by supplementary planning guidance (CPG4 – Basements and lightwells).

7.2 Policy A5 is split into three sections, the first section (parts a-e) deals with harm to the natural and built environment and states that the Council will only permit basement development where it is demonstrated that the proposal will not cause harm to neighbouring properties, structural, ground or water conditions, the character of the building, area or any heritage assets, and requires the submission of a Basement Impact Assessment (BIA).

7.3 The second section (parts f-m) deals with the siting, location, scale and design of basements and seeks to ensure that they are subordinate to and have a minimal impact on the host building.

7.4 The third section (parts n-u) seeks to ensure that basements do not harm neighbouring properties, amenity, landscaping and trees.

7.5 In terms of the first section, a Basement Impact Assessment is required to demonstrate that a proposal will not harm the built or natural environment. Policy A5 states that “In order to provide the Council with greater certainty over the potential impacts of proposed basement development, we will generally expect an independent verification of Basement Impact Assessments funded by the applicant” (6.117). It goes on to advise when verification is

required, such as where a scheme requires applicants to proceed beyond the screening stage and where the proposed basement development is located within an area of concern regarding slope stability, surface water or groundwater flow, which are both applicable in this instance. This is also referred to in CPG4 (3.33). The Council's webpage for basement developments gives more detail and outlines the approach whereby Campbell Reith have been appointed as the single framework provider for the audit service.

7.6 The applicant submitted a Basement Impact Assessment (BIA) and Campbell Reith reviewed the BIA and requested more information about how the development would deal with groundwater, surface water and the impact on the stability. The applicant provided additional basement information which was further reviewed by Campbell Reith.

7.7 Campbell Reith concluded:

- An appropriate geotechnical interpretation has been produced with engineering properties of the soil for use in the design of the RC retaining walls and basement slab provided. Outline structural calculations have been provided for the basement slab and wall structure.
- A ground movement assessment has been produced, it is accepted that the worst case damage will not exceed Burland category of 1 based on a GMA that was calculated for an alternative proposal.
- A flood risk assessment confirms that the property is in a low to medium risk of flooding from surface water.

7.8 The basement impact of the proposal is therefore considered to be in compliance with the first section (parts a-e) of Local Plan policy A5.

7.9 In terms of the second section of policy A5 (parts f – m), the purpose of this part of the policy is to ensure that a proposed basement is subordinate to the host building, and sets certain limits on the size and location of proposed basements.

7.10 Part h states that basement development should not exceed 50% of each garden within the property. This criterion applies to the front garden, the rear garden and gardens to the side of the property individually, rather than calculated as an aggregated garden area for the whole property. This criterion applies to gardens as they currently exist and not the gardens of the proposed development. The unaffected garden must be in a single area and where relevant should form a continuous area with other neighbouring gardens. Sufficient margins should be left between the site boundaries and any basement construction to sustain growth of vegetation and trees.

7.11 Part m states that basement development should avoid the loss of garden space or trees of townscape or amenity value.

7.12 The proposed basement floor plan clearly shows the coverage of the basement amounts to 74% of the garden. The garden area currently totals 140sqm, this would be reduced as the basement would retain an area of just 36sqm without a basement beneath it. Basement development should not exceed 50% of each garden. As such, the basement development would exceed 50% of the garden contrary to policy A5(h and m).

7.13 The final part of the basement policy (parts n – u) also looks at harm to the built and natural environment. It requires the BIA to demonstrate risk of damage to neighbouring properties to be no greater than Burland Scale 1, which the BIA does, however as discussed in the later section of 'Trees', the proposal would be contrary to parts r. provide satisfactory landscaping, including adequate soil depth; and u. do not prejudice the ability of the garden to support trees where they are part of the character of the area by virtue of its site coverage.

8. Trees

8.1 The site has been the subject of a number of tree applications and pre-application enquiries

resulting in a number of site visits from Camden Tree officers and supporting documents provided by the relevant applicants. The supporting documentation included a ground floor plan depicting a number of trees in situ in the rear garden. The most recent pre-application enquiries (2016/3442/PRE, 2016/6157/PRE and 2017/5394/PRE) also included supporting information including photographic evidence of a number of trees in situ in the rear garden.

- 8.2 The trees set within the grounds, including a lime (TPO) contributed positively to the Camden Square Conservation Area. The trees were located on the rear corner of the site or at a terminating height visible to the public and as such, their retention (or suitable replacement if they have been removed) is essential.
- 8.3 Permission was granted on 09/09/2016 (2016/3236/T) to fell the lime, subject to its replacement with a Hornbeam, within 5m of the removed tree.
- 8.4 Trees in the conservation areas are statutorily protected. Permission has not been granted for the removal of any other trees on this site, however all the vegetation has been removed by the applicant between the Council's response to the Pre-application enquiries, which explicitly acknowledged all trees on site are to be retained (save for recent permissions for their removal) and not be harmed by the proposed development and the submission of the planning application.
- 8.5 The works relating to 2016/3236/T have been implemented, namely the Lime has been removed but not replaced.
- 8.6 The proposal would plant a hornbeam to the north east of the site (as a replacement as per 2016/3236/T) and two birch trees adjacent. A new birch would also be planted to the entrance of the church. It is worth noting, as a part of this application, the supporting information depicts by way of photographic evidence (Google earth images) in the Arboriculture report a number of trees present on site, however the supporting assessment states 'No trees are currently growing within the site'.
- 8.7 Given the insufficient space to accommodate replacement planting that would mitigate the loss of visual amenity and canopy cover that was provided by the removed vegetation, the scheme is considered unacceptable. The areas afforded are relatively small and the above ground space for the trees to develop a full crown would be limited by their proximity to the building. The replacement hornbeam tree would be located approximately 1m away from the façade of the residential building, whilst the birch trees would be less than 1.2m from the façade.
- 8.8 The proposed planting would be subject to constant pruning pressure in such close proximity to the proposed building. The pruning and branch removal that would be required would be damaging to the natural appearance and the amenity value of the trees. It is likely that there would be a number of future pressures for further pruning of the trees or even their removal resulting from its closeness to the development.
- 8.9 This would likely be a result of branches shading light to windows, closeness of branches to the structure, possible apprehension of future residents due to the closeness of the tree and fear of falling branches and specific problems relating to leaf drop in gutters for example.
- 8.10 The trees are situated to the east and south of the proposed residential building and would likely cast dense shade on the property and its windows. Whilst some thinning may be acceptable it is unlikely to be enough for future residents of the building. Further pruning of the trees would lead to an increased lack of visual balance in the crown structure and a further reduction in the visual amenity of the trees. Over hanging branches to the property are likely to be viewed with apprehension. Falling leaves, particularly in autumn, on the garden terrace and roofs will require frequent and potentially onerous clearance.
- 8.11 Within this context, the contribution to the character and amenity of the area the replacement

trees could provide would be diminished by the pressures of the occupiers in the adjacent new residential building, particularly given the units poor quality of outlook and access to light.

- 8.12 With regard to site coverage, the garden to the rear is approximately 140sqm, the proposal would result in 65sqm retained, only 30smq of which would not see a basement directly beneath it. The proposed basement floor plan clearly shows the coverage of the basement amounts to 78% of the rear of the site, with 30sqm retained specifically for required replacement planting.
- 8.13 The remainder of 'open' area, serves as a pathway and space for cycle spaces. As depicted on section, the majority of 'open' areas proposed would have less than 1 metre of soil above the basement, contrary to Policy, as this would not enable garden planting and rainwater runoff and flood mitigation.
- 8.14 This results in a significant and detrimental reduction in open amenity space for the garden and the site as a whole of more than 50%. The extent of the basement development would result in a significant loss of garden space extending up to the borders of the property and leave little provision for future planting, contrary to A2, A3 and A5 of the Camden Local Plan.

9. Transport

Policy review

- 9.1 Policy A1 seeks to ensure that standards of amenity (the features of a place that contribute to its attractiveness and comfort) are protected. Policy T1 of the Local Plan promotes sustainable transport by prioritising walking, cycling and public transport in the borough. Policy T2 seeks to limit the availability of parking and requires all new developments in the borough to be car-free. Policy T3 sets out how the Council will seek improvements to transport infrastructure in the borough and Policy T4 addresses how the Council will promote the sustainable movement of goods and materials and seek to minimise the movement of goods and materials by road.
- 9.2 London Plan policies on transport of relevance include policy 6.9 (Cycling), 6.10 (Walking) and 6.13 (Parking).

Car parking

- 9.3 The site does not currently benefit from any on-site car parking facilities and none are proposed.
- 9.4 Policy T2 of the Local Plan requires all new development in the borough to be car free regardless of PTAL rating. The applicant has agreed to a car-free development. This is welcomed as it will help to encourage active, healthy and sustainable lifestyles. It will also help to minimise the impact of the development on the Controlled Parking Zone (CPZ). For car free developments, the Council will not issue on-street parking permits and will use planning obligations to ensure that future occupants are aware they are not entitled to on-street parking permits.
- 9.5 The development would therefore be car-free and this should be secured by legal agreement if planning permission were to be granted. In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

Impact on kerbside activity directly adjacent to the site

- 9.6 The site abuts the carriageway directly on the south side of Rochester Square. Pedestrians use the footway on the opposite side of the road. While 'keep clear' markings prevent parking directly adjacent to the site. The Council would consider replacing the 'keep clear' markings with double yellow lines. This would prevent parking but would permit loading and unloading activity.
- 9.7 The site abuts a narrow footway on the north side of Rochester Square. Pedestrians use the footway on the opposite side of the road. Two parking bays (1 disabled bay and 1 permit

holder only bay) are marked on the carriageway. There is some concern that parked cars could obstruct pedestrian access to the northern section of the site. The Council would therefore need to consider relocating or removing the two parking bays and replacing them with double yellow lines in order to facilitate the proposed development. This would prevent parking but would permit loading and unloading activity.

9.8 The summary page of Policy A1 (Managing the impact of development) states that the Council 'will resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network'. Paragraph 6.9 of Policy A1 goes on to state that 'any development or works affecting the highway will also be expected to avoid disruption to the highway network, particularly emergency vehicle routes and avoid creating a shortfall to existing on-street parking conditions or amendments to Controlled Parking Zones'.

9.9 The potential loss of two on-street parking bays would therefore constitute a reason for refusal in the absence of any supporting information to discuss the impact of such losses on the Controlled Parking Zone. This reason for refusal could be addressed if the two parking bays could be relocated nearby. It could also be addressed if the applicant were to undertake a parking beat survey to demonstrate that the loss of two parking bays would not have a detrimental impact on the CPZ in the general vicinity of the site. The parking beat survey would need to be undertaken in accordance with approved methodology (i.e. London Borough of Lambeth methodology).

Cycle parking

9.10 Policy T1 requires developments to provide for accessible and secure cycle parking facilities exceeding minimum standards outlined within the London Plan and design requirements outlined within Camden Planning Guidance document CPG7 (Transport). Table 6.3 of the London Plan provides minimum cycle parking standards for the various use classes. The minimum requirement for this development is as follows:

- C3 Residential: 9 long stay spaces
- D1 Community Use: 1 long stay space and 2 short stay spaces

9.11 The proposal would provide 10 covered and secure cycle parking spaces for residents and 2 secure cycle parking spaces for their visitors. This is in accordance with and slightly in excess of the minimum requirements of London Plan policy 6.9 (Cycling).

9.12 The proposal would also provide 4 covered and secure cycle parking spaces for staff and visitors associated with the D1 use. This is in accordance with and slightly in excess of the minimum requirements of London Plan policy 6.9 (Cycling).

9.13 A cycle store for residents and visitors would be located within the residential element of the property at ground floor level. A cycle store for staff and visitors would be also located on the small courtyard adjacent to the existing Church entrance on the southwest side of Rochester Square. The locations proposed are acceptable but without further details, the quality of provisional uncertain. The cycle parking facilities for the residential and community use elements of the proposal would need to be designed in accordance with the cycling section of Camden Planning guidance document CPG7 (Transport).

9.14 There is concern that the space provided for the residential cycle store would be insufficient to accommodate the proposed number of cycle parking spaces in accordance with Camden Planning Guidance document CPG7 (Transport). In addition, the type of cycle parking facilities to be provided for each use class is unclear. The proposed cycle parking arrangements are therefore unacceptable and constitute a reason for refusal as things stand.

Refuse and recycling storage

9.15 Refuse and recycling stores have been designed in easily accessible locations in close proximity to the public highway. The proposed ground floor plan indicates that any gates

adjacent to the public highway would open inwards within the site. This is welcomed and meets the requirements of Section 153 of the Highways Act and Policy A1 in this regard.

Highway works

- 9.16 The public highway directly adjacent to the site on Rochester Square is likely to sustain significant damage as a direct result of the proposed demolition, basement excavation and construction works. Remedial works would therefore be required to repair any such damage following completion of the proposed development.
- 9.17 The Council would also need to amend the existing traffic management orders on the north and south sides of Rochester Square in order to facilitate the proposed development. A highways contribution would need to be secured by way of a planning obligation. The highway works would be undertaken by Camden's highways contractor (the Transport Design Team would prepare a cost estimate prior to a positive determination of the planning application). In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

Deliveries and other servicing activities

- 9.18 Policy T4 notes that the movement of goods and materials by road can have a significant impact on the environment and the health and wellbeing of residents, in terms of noise disturbance and its contribution to road congestion and air pollution.
- 9.19 Delivery and servicing arrangements will remain the same as existing with loading and unloading taking place from the kerbside on Rochester Square. This includes refuse collection, postal deliveries and general deliveries to the site. The proposal would not result in a significant number of delivery and servicing related trips on a daily basis.

Managing and mitigating the impacts of construction

- 9.20 Construction management plans (CMPs) are used to demonstrate how developments will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). A draft CMP has been submitted in support of the planning application. This provides some useful information and follows the Council's approved format. However, it lacks detail as a principal contractor has yet to be appointed.
- 9.21 The site is located in close proximity to Camden Town and at least two schools. This part of the borough suffers from severe traffic congestion during peak periods. Our primary concern is public safety but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality, temporary loss of parking, etc). The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. A more detailed CMP would therefore be secured via a planning obligation.
- 9.22 In order to minimise traffic congestion and road safety issues during development works, construction vehicle movements would need to be scheduled to take place between 0930 and 1500 hours on weekdays during school term (between 0930 and 1630 during school holidays), and between 0800 and 1300 hours on Saturdays, with no construction vehicle movements (apart from exceptional circumstances) on Sundays and bank holidays unless agreed beforehand with the Council. This is to minimise the impact of construction on the public highway at peak times, which will help to address some of the requirements of policy A1 (Managing the impact of development). Specific details would need to be agreed with Camden during the development of the CMP.
- 9.23 The Council has a pro-forma which developers are required to use when preparing detailed CMPs once a Principal Contractor has been appointed. The CMP would need to be approved by the Council prior to any works including demolition commencing on site. A Key element of the CMP is a requirement to comply with best practice guidelines within the Standard for

Construction Logistics and Community Safety (CLOCS) scheme. The Principal Contractor would also need to be registered with the Considerate Constructors Scheme.

9.24 There are a number of significant developments in the general vicinity of the site that are currently under construction or have been approved. This part of the borough already experiences significant traffic problems. The construction of various significant developments concurrently raises concerns about cumulative impacts on the transport network as well as amenity issues such as noise, dust, air quality and vibration. The developer and principal contractor, once appointed, will be required to work closely with other contractors working nearby with a view to minimising and mitigating the cumulative impacts of construction.

9.25 The development, if approved, would require significant input from officers. This would relate to the development and assessment of the CMP as well as ongoing monitoring and enforcement of the CMP during demolition and construction. A CMP implementation support contribution of £7,564.50 would be secured as a planning obligation. In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

Basement excavations directly adjacent to the public highway

9.26 The proposal would involve basement excavations directly adjacent to the public highway along both Rochester Square frontages. The Council has to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations.

9.27 The applicant would be required to submit an 'Approval In Principle' (AIP) report to our Highways Structures & Bridges Team within Engineering Services as a pre-commencement Section 106 planning obligation. This is a requirement of British Standard BD2/12. The AIP would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also need to include an explanation of any required mitigation measures.

9.28 The AIP and an associated assessment fee of £3,600 would need to be secured via a planning obligations if planning permission is granted. In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

10. Sustainable design and construction

10.1 Policy CC1 sites that the Council will require all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. Policy CC2 requires all development to adopt appropriate climate change adaptation measures.

10.2 The applicant has submitted a sustainability/energy statement which refers to various proposed sustainable measures (such as water consumption, SuDS) and indicates an improvement over Part L of the relevant Building Regulations.

10.3 The compliance with Policies CC1 and CC2 would be secured as a planning obligation. In the absence of an acceptable scheme (and hence no section 106 agreement) this becomes a reason for refusal.

11. S106 / Other Matters

11.1 If the proposal was considered to be acceptable it would be the subject of a S106 legal agreement. Many of the obligations required have been discussed above and are included as reasons for refusal. Below is a summary of the heads of terms that would be sought for a successful scheme:

- Affordable housing contribution

- Car-free development
- Highways contribution
- Construction/Demolition Management Plan
- Approval In Principle
- Energy and Sustainability

12. Conclusion

12.1 The key issues include:

- The proposal would re-provide community facility floorspace
- The proposal would provide substandard living accommodation for its perspective occupiers and a substandard quality of life due to poor outlook, particularly those depicted as affordable units;
- The basement development would exceed 50% of the garden representing excessive overdevelopment.
- The extent of the basement development would result in a significant loss of garden space extending up to the borders of the property and leave little provision for future planting
- The potential loss of two on-street parking bays
- Insufficient cycle parking provision for future occupiers of the residential flats
- The failure to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site
- The failure to be sustainable in its use of resources

12.2 Based on the above, the proposed development is considered to fail on the three dimensions of sustainable development – economic, social and environmental – as specified in paragraph 7 of the NPPF.

Recommendation: Refuse planning permission