

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	19/12/2017
		N/A / attached	<b>Consultation Expiry Date:</b>	07/12/2017
<b>Officer</b>			<b>Application Number(s)</b>	
Thomas Sild			2017/6986/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
24-32 Stephenson Way LONDON NW1 2HD			See decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Erection of a two-storey roof extension with a plant enclosure above to form a fifth and sixth floor level to the existing building together with the reconfiguration of the existing fourth floor level accommodation.				
<b>Recommendation(s):</b>		Refuse planning permission		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice
<b>Informatives:</b>	

### Consultations

<b>Adjoining Occupiers:</b>	No. notified	00	No. of responses	00	No. of objections	00
			No. electronic	00		
<b>Summary of consultation responses:</b>	<p>A site notice was displayed between 08/03/2018 – 29/03/2018</p> <p>A press notice was advertised on 06/03/2018 – 27/03/2018</p> <p>One response received on behalf of owner / occupier at 22 Stephenson Way:</p> <ul style="list-style-type: none"> <li>• The proposed development is out of keeping with the prevailing design and character of the area.</li> <li>• The proposed development is excessive in terms of height and bulk such that it will dominate the surrounding buildings.</li> <li>• The proposed development overlooks neighbouring buildings and impinges on daylight and sunlight.</li> <li>• There are errors in the submitted Daylight and Sunlight Study.</li> </ul>					
<b>CAAC comments:</b>	<u>N/A</u>					

### Site Description

The site consists of a five-storey commercial building with basement, understood to date from the mid-20<sup>th</sup> century. It has an authorised use of B1 office.

The building is not statutorily listed and not identified as making a positive contribution to the character and appearance of the conservation area. The site is located within the Central London Area and within the Euston Area Plan and is within the designated Euston Local Plan Growth Area. The site is also within the background consultation area from Blackheath Point. The area is mixed in terms of uses with residential and commercial uses throughout the locality.

The site has excellent public transport accessibility, achieving a PTAL rating of 6b. The site lies in close proximity to numerous Underground stations and bus routes.

### Relevant History

- 2017: 2017/1752/P granted permission for change of use of lower ground floor and first floor from Class B1 offices to a flexible use as Class B1 office and/or Class D1 (for the purposes of providing cellular pathology services to the health sector).
- 2017: 2017/5632/P granted permission for installation of 4 x air conditioning units in the lower ground floor lightwell at the rear of the building.
- 2017: 2017/6915/A granted consent for display of non-illuminated projecting sign fixed to front elevation.
- 2015: 2015/3458/P granted permission for infill section of atrium to create additional office floor space at first floor level and a roof garden at second floor level including the removal of a lift shaft and old boiler flue. Modification to the front elevation to create new entrance. Alterations to the windows and external fabric.
- 2015: 2015/7230/P granted permission for installation of air conditioning plant at roof level, including an extension to lift overrun to accommodate new lift car.

## **Relevant policies**

### **NPPF 2012**

### **London Plan 2016**

### **Local Plan 2017**

Policy G1 Delivery and location of growth

Policy E1 Economic development

Policy E2 Employment premises and sites

Policy A1 Managing the impact of development

Policy A2 (Open space)

Policy A3 (Biodiversity)

Policy A4 (Noise and vibration)

Policy D1 Design

Policy D2 Heritage

Policy H1 (Maximising housing supply)

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

Policy H4 Maximising the supply of affordable housing

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 DM1 (Delivery and monitoring).

### **Camden Planning Guidance**

The Council is reviewing and updating its Camden Planning Guidance documents to support the delivery of the Camden Local Plan following its adoption in summer 2017. The update is being carried out in two phases to manage the amount of material to be consulted on at any one time and ensure that relevant revised CPG documents take into account changes to the London Plan and to national planning policy.

The CPG documents below were adopted by Council on 26 March 2018 following consultation as Phase 1 of the review.

CPG Housing (Interim)

CPG2 Housing (May 2016 updated March 2018)

CPG Amenity

CPG Biodiversity

CPG Employment sites and business premises

CPG Public open space

The following CPG documents (amended where necessary to reflect the changes made in Phase 1) continue to apply until they are updated in Phase 2 of the review.

CPG1 Design (2018)

CPG3 Sustainability (July 2015 updated March 2018)

CPG6 Amenity (September 2011 updated March 2018)

CPG7 Transport (2011)

CPG8 Planning obligations

## Euston Area Plan (2015)

### Assessment

Planning permission is sought for erection of a two-storey roof extension comprising 1026 sq. m of office floorspace with a plant enclosure above to form a fifth and sixth floor level to the existing building together with the reconfiguration of the existing fourth floor level accommodation.

The proposals would create 513 sqm of new Class B1 office space at fifth floor level and would add a further 513 sqm of new Class B1 office space at sixth floor level. In conjunction with this, a new replacement plant enclosure would be provided at roof level, which would result in a 50 sqm addition, and the existing fourth floor level of office accommodation would be reconfigured and refurbished

The main considerations with this application are:

- land use and housing supply
- design
- amenity impact
- transport
- sustainability

### Land use and housing supply

#### Employment space

Policy G1 of the Local Plan states that the Council will seek development through the Borough, with the most significant growth directed to growth area, including Holborn. The site lies within the Euston growth area.

Policies E1 and E2 encourage the retention, maintenance and provision of additional office space particularly in the Central London Area. The proposal would result in an uplift of 1082 sq. m of additional office floorspace (GIA). The significant increase in employment floorspace and the resulting quality of space provided is in accordance with policies E1 (Economic development) and E2 (Employment premises and sites) which set out the need to protect and enhance existing employment sites while meeting the needs of modern industry and would be considered.

#### Housing

Policy H2 of the Local Plan requires a mixture of uses in all parts of the Borough, including a contribution to housing. For development located within the Central London Area, with more than 200 sq. m (GIA) additional floorspace, policy H2 requires 50% of all additional floorspace to be self-contained housing. This requirement is subject to further considerations, including the character of the site and area, site constraints, compatibility of housing with other uses and planning objectives considered to be a priority for the site. The proposed development would provide an uplift of 1026 sq. m (GIA). Therefore 513 sq. m (GIA) of housing floorspace would be required to meet the policy target.

The applicant has not included residential floorspace within the development as part of this application and has not provided any supporting information on whether residential floorspace is suitable or viable

for this development. In the absence of this information the Council has concluded that insufficient information has been provided and the application has failed to comply with policy H2.

Policy H4 of the Local Plan seeks to maximise the supply of affordable housing, in line with aiming to exceed the Borough wide strategic target of 5,300 affordable homes from 2016/17-2030/2031. The Camden Strategic Housing Market Assessment estimates a need for around 10,000 additional affordable homes from 2016-2031. Policy H4 has a sliding scale target that requires an additional 2% affordable housing per capacity for each additional home. Capacity for one additional home is defined within the Local Plan as an additional residential floorspace of 100m<sup>2</sup> (GIA). In assessing capacity, additional residential floorspace is rounded to the nearest 100m<sup>2</sup> (GIA). The affordable housing target of 50% applies to developments with capacity for 25 or more additional dwellings.

As stated above the target residential quantum required in accordance with policy H2 is 513 sq. m, which equates to a capacity of 5 units and an on-site affordable housing target of 10% (i.e 2% per unit which equals 5 x 2 = 10). No affordable housing units have been provided as part of the proposal, and no payment in lieu has been proposed. In the absence of an agreed affordable housing provision or payment in lieu secured by a s106 agreement, the application therefore fails to meet the requirements of policy H4 and is considered unacceptable.

## **Design**

The Council will welcome high quality contemporary design which responds to its context. Camden's Local Plan Document is supported by Supplementary Planning Guidance CPG1 (Design).

Through Local Plan policy G1 the Council will deliver growth by securing high quality development taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site. Policy D1 seeks to ensure development respects local context and character. Development must propose details and materials that are of high quality and complement the local character.

The submitted information does not contain any urban design analysis of the site or surrounding context.

Stephenson Way runs parallel to Euston Road connecting North Gower Street round to Euston Street and sits within the Drummond Street and Hampstead Road character area as defined in the Euston Area Plan. The Drummond Street area has a well preserved grid of containing historic regency terraces, with a mix of residential and commercial uses within a tight-knit historic urban grain.

The urban block of which nos. 24-32 forms a part consists of a variety of building ages and architectural styles. The side of the block fronting North Gower Street contains a row of four-storey plus mansard early 19<sup>th</sup> century townhouses, still largely in residential use. Nos. 18-22 adjoining the subject site are five-storey 19<sup>th</sup> century brick fronted warehouses. Wolfson House is an anomaly within the block being seven-stories and not following the established perimeter.

Despite the diversity of building styles and periods, and notwithstanding Wolfson House, there is a prevailing character of height around the block. There is a consistency of five-stories, with some addition of plant and servicing structures above.

The proposed extension of two full storeys and a plant level above on 24-32 would create a visually intrusive addition at odds with the established urban grain of the block and the nature of Stephenson Way as a minor side street, subordinate to Euston Road and North Gower Street.

The proposed massing and bulk would detract from the setting and proportions of the historic townhouses along North Gower Street. The added height, without set-back would also create an increased sense of enclosure to Stephenson Way.

The existing building does not present outstanding architectural qualities, however it does offer some simplicity in form with a painted render exterior, displaying a strong parapet line at fourth-floor level,

comparable to adjoining buildings. The proposal will disrupt this through the addition of the extra bulk and mass above the existing parapet line.

The proposed facing of the extension in bronze anodised aluminium, in conjunction with the extension's scale and bulk fails to provide either a sympathetic addition to the host building's render exterior nor provide a high enough quality of contemporary design to complement and enhance the character of the host building and its surroundings.

As such the proposed development fails to comply with policy G1 and D1 of the Camden Local Plan 2018.

### Strategic views

The site falls within the Blackheath Point strategic view consultation area, which has been designated to protect views across central London to and from Blackheath Point. Given the existence of significantly taller buildings within the wider area, the proposed two-storey increase in height in this context and location would not be considered to significantly impact this strategic view.

### **Amenity**

Policies Local Plan policies A1 and A4, and CPG6 (Amenity) as updated, seek to ensure that the existing residential amenities of neighbouring properties are protected, particularly with regard to visual privacy, outlook, daylight and sunlight, noise and air quality. Policy A1 states that the Council will only grant permission for development that does not cause harm to amenity. The application site is surrounded by Stephenson Way to the south, North Gower Street to the west and Euston Street to the north. The closest residential properties, and those directly impacted by the scheme are flats/maisonettes within nos. 162, 164, 166, 168 and 170 North Gower Street.

Daylight & Sunlight: A daylight & sunlight statement was submitted to assess the impact of the proposal on surrounding occupiers. The assessment, which was carried out in accordance with the BRE guidelines, states that the development will result in significant impact to surrounding occupiers, notably to habitable room windows at 162 and 164 North Gower Street. It is noted that most of the affected windows already experience low levels of Vertical Sky Component (VSC). Habitable room windows numbered 33, 34, 35, 44, 46 and 47 in no.162 North Gower street with higher existing VSC levels at 20% and above that experience a reduction ratio of below 0.8, contrary to BRE guidelines. This indicates that these windows experience a high enough proportion of VSC for the impact of the development of to be significantly noticeable. Insufficient information has been provided to allow assessment of whether the impact on these rooms is mitigated by other factors. As such it cannot be demonstrated that that the development will not result in unacceptable impact to occupants of 162 North Gower Street contrary to local plan policy A1.

Overlooking/ privacy: the proposal includes the provision of side facing windows at fourth, fifth and sixth floor levels directly overlooking residential occupants at 162-164 North Gower Street. Whilst it is noted that there are side windows in existence here at first-third floor levels, the addition of windows at higher levels directly overlooking the fourth floor windows in 162-164 would result in unacceptable harm to amenity by way of loss of visual privacy.

Loss of outlook: the proposals would result in some impact on outlook for occupiers at fourth floor level in 162-164 North Gower Street. However given that significant parts of 24-32 Stephenson Way and 158-160 North Gower Street already sit at a comparable height or slightly higher to the fourth floor windows, the impact of the development on outlook is not considered to be harmful enough to warrant a reason for refusal.

Noise and vibration: the proposals include the creation of new rooftop plant. The Council will only grant permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity. An acoustic report has not been submitted as part of the application and as such there is insufficient information to demonstrate that the noise generated from the new plant would meet the Council's noise standards and may have an impact on the amenity of

neighbouring occupiers.

The proposal therefore fails to comply with policy A1 or A4 of the Camden Local Plan.

## **Transport**

### Car parking

Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free, and parking will only be considered for new non-residential developments where it can be demonstrated that the parking provided is essential to the use or operation of the development. The development should therefore be secured as a car free development, restricting the ability of the future occupiers from obtaining on-street parking permits.

### Person and servicing trips

Policy A1 of the Local Plan seeks to ensure that development is properly integrated with the transport network and supported by adequate walking, cycling and public transport links with appropriate mitigation measures in place. Due to the uplift in B1 floor space, an increase in the number of person trips and delivery/servicing trips to the site is predicted. Policy A1 states that the council will consider information in transport assessments in order to assess transport impacts of developments.

There is no information provided (in the form of a Transport Statement or otherwise) which gives both existing and proposed estimates of the number of person trips, the modal split of these trips and the existing and proposed number of servicing trips generated by the development. In the absence of a Transport Statement, providing both existing and proposed number of person trips, servicing trips and servicing locations/procedures, the application is unable to be assessed and as such it fails to demonstrate it complies with Council policy.

Due to the predicted increase in trips, a Local Level Travel Plan would need to be secured as a Section 106 planning obligation if planning permission is granted. This travel plan would set out measures to promote the use of sustainable modes of transport by staff and visitors associated with the development. A Travel Plan Implementation Support Contribution of £3,122 is required to cover the costs of assessing, reviewing and monitoring the travel plan across a 5 year period from first occupation of the development. This would be secured as a Section 106 planning obligation.

### Cycle Parking

Policy T1 of the Camden Local Plan requires development to provide cycle parking facilities in accordance with the minimum requirements of the London Plan and the design requirements outlined in CPG7.

The design and access statement states that 14 long-stay cycle parking spaces will be provided in the basement accessed from the ground floor via the existing vehicle ramp, which exceeds the minimum requirement (13 spaces) of the London Plan.

The development is required to provide 2 short stay spaces to meet London Plan minimum requirements. Due to restrictions of the site, this provision can be included with the proposed long stay cycle parking spaces at lower ground floor. This would equate to a total of 16 cycle parking spaces. As stated above the development is proposing to provide 14 long stay cycle spaces, and is therefore below the minimum requirements of the London Plan.

There are no details in the plans or the supporting information about the type of cycle racks provided, and therefore the layout of the cycle spaces cannot be assessed against CPG7. While the supporting information describes how the cycle store is accessed from street level, the exact route using the ramp is not clear from the proposed plans.

In the absence of revised cycle parking plans that address the issues raised above, the application fails to demonstrate compliance with Borough policy.

### Managing the impacts of construction on the surrounding highway network

Policies A1 and T4 state that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process. The policies also relate to how development is connected to the highway network. For some developments, this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).

While the development is not considered to be a large scale development, due to the location of the site and the nature of the works, a CMP would need to be secured as a Section 106 planning obligation if planning permission is granted. A CMP (in the councils pro-forma) will need to be submitted once a Principal Contractor has been appointed, and would need to be approved by the Council prior to any works commencing on site.

A CMP Implementation Support Contribution of £3,136 would also need to be secured as a Section 106 planning obligation if the application had otherwise been acceptable.

### Highway Improvements directly adjacent to the site

Paragraph 6.11 (Policy A1) of the 2017 Camden Local Plan states that the Council will repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links, road and footway surfaces at the developer's expense. It appears that there is a redundant vehicle dropped kerb/crossover adjacent to the site. This crossover could be removed as part of the highway works, and reinstated as footway. The Council must secure a financial contribution for highway works as a section 106 planning obligation to enable the proposal to comply with Policy A1, T1 and T3 of the Camden Local Plan and as such this application has failed to meet these requirements.

### **Crime and safety**

The proposal has been reviewed by a Crime Prevention Officer and no objection raised

### **Sustainable design and construction**

Pursuant to London Plan policies 5.2, 5.3, 5.6m, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15 and 5.17, and Camden Local Plan policies CC1, CC2 and CC3 all developments in Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

### **Energy**

The Local Plan requires development to incorporate sustainable design and construction measures. All developments are expected to reduce their carbon dioxide emissions by following the steps in the energy hierarchy (be lean, be clean and be green) to reduce energy consumption. Policy CC2 of the emerging Local Plan requires development to be resilient to climate change through increasing permeable surfaces and using Sustainable Drainage Systems, incorporating bio-diverse roofs/green and blue roofs/green walls where appropriate and including measures to reduce the impact of urban and dwelling overheating.

The applicants have provided an energy strategy which has been reviewed by the Council's sustainability officer.

To comply with the London Plan the proposal must secure a minimum 35% reduction in regulated CO2 emissions below the maximum threshold allowed under Part L of the Building Regulations 2013. The scheme proposes to comply with the overall and renewables CO2 reduction targets for this scale

and type of development. It indicates a 35.8% overall CO<sub>2</sub> reduction versus building regulations, and a 35.0% Be Green stage reduction via renewables. These would be secured via a s106 agreement and its absence forms a reason for refusal. .

Certain other information is outstanding, including details of the proposed glazing percentage and thermal bridging strategy; further details of the renewable energy systems. Should the scheme have been otherwise acceptable, details of these would be secured by condition for approval prior to commencement of construction.

### **Sustainability**

The scheme indicates a broad intention to provide the relevant information and comply with the overall and renewables CO<sub>2</sub> reduction targets for this scale and type of development (see my para above).

Through policy CC2 Adapting to climate change, the Council will require development to be resilient to climate change. The Council will promote and measure sustainable design and construction by expecting non-domestic developments of 500 sqm of floorspace or above to achieve “excellent” in BREEAM assessments.

The scheme’s design has been correctly pre-assessed but has failed to meet the EXCELLENT target, with an overall score shortfall of 3 credits or around 4%. The Energy section credits are insufficient to meet the 60% target with a shortfall of around 12%. However, the Materials and Water sections indicate exceeding minimum requirements. The assessor notes that, through major design changes, the scheme could achieve potential credits that could make the scheme Camden policy compliant, The applicant is expected to investigate this as part of the application and comment upon the assessors findings. Although there may be constraints that restrict the measures that could be incorporated into the design, due to the nature of the scheme as a roof extension, the expectation would be that these potential credits be targeted and achieved unless specific reasons are put forward showing their non-feasibility.

As such the application has failed to demonstrate why the scheme is unable to achieve a BREEAM “excellent rating” and comply with policy CC2.

### **Air quality**

The proposal site is situated in an area of moderately poor air quality. In order to protect air quality from pollution emissions associated with new development and reduce public exposure to poor air quality. Major developments in an area of poor air quality are expected to submit a detailed (quantitative) air quality assessment (AQA). The site is in an area exceeding long term annual objectives and its road or building emissions have the potential to affect receptors on adjacent major road routes which already exceed short term annual objectives

No air quality assessment has been submitted and in the absence of such the application has failed demonstrate that the proposed development would not expose new occupants to poor air quality or result in a further negative impact on surrounding air quality.

### **Flood risk and drainage**

The NPPF requires all major developments to include Sustainable Urban Drainage Systems (SuDS) unless demonstrated to be inappropriate. Major developments should achieve greenfield run-off rates wherever feasible and as a minimum 50% reduction in run off rates. Development should also follow the drainage hierarchy in policy 5.13 of the London Plan.

The proposal has not included any information on proposed SuDS. In this case there is no change in building footprint or impermeable area however proposals should seek as great as possible reduction in discharge rates to the sewer, according to the scheme opportunities presented, with a target of at

least 50% reduction from existing where feasible. Schemes must include suitable SuDS such as a green-blue roof (i.e. green roof with flow controls and minimum 100mm soil, optimised for attenuation and connected into building drainage system) if feasible.

In the absence of sufficient information relating to flood risk and drainage measures the applicant has failed to comply with local plan policy CC3 and the NPPF.

### **Refuse and recycling**

The Council aims to ensure development includes adequate facilities for the storage and collection of waste and recycling. Approximately one cubic metre storage space is required for every 300-500sq m of commercial space. The proposals have not indicated any additional areas of waste and recycling storage as would be necessary to service the increased floorspace and occupancy. Further details would have been sought should the scheme have otherwise been acceptable.

### **Employment and training opportunities**

Given the uplift in employment work space exceeds 1000 sq. m, the Council will require a proportion of affordable workspace. Should the scheme have been otherwise acceptable, further information and negotiation on this would be required. This would also include obligations in relation to:

- **CITB benchmarks for local employment** when recruiting for construction-related jobs as per section 68 of the Employment sites and business premises CPG.
- Advertise all construction vacancies and work placement opportunities **exclusively with the King's Cross Construction Skills Centre** for a period of 1-week before marketing more widely.
- The applicant should provide a specified number (to be agreed) of **construction work placement opportunities** of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre, as per section 70 of the Employment sites and business premises CPG
- If the build costs of the scheme exceed £3 million the applicant must recruit 1 **construction apprentice** per £3million of build costs and pay the council a support fee of £1,700 per apprentice as per section 65 of the Employment sites and business premises CPG. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre. Recruitment of non-construction apprentices should be conducted through the Council's Economic Development team.
- If the value of the scheme exceeds £1 million, the applicant must also sign up to the **Camden Local Procurement Code**, as per section 71 of the Employment sites and business premises CPG; and
- The applicant must provide a **local employment, skills and local supply plan** setting out their plan for delivering the above requirements in advance of commencing on site, as per section 63 of the Employment sites and business premises CPG.

The proposed development, in the absence of a legal agreement securing a local employment and training package including an appropriate financial contribution, would be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

### **Open space**

To secure new and enhanced open space and ensure that development does not put unacceptable

pressure on the Borough's network of open spaces, the Council will seek developer contributions for open space enhancements using Section 106 agreements and the Community Infrastructure Levy (CIL). The Council will secure planning obligations to address the additional impact of proposed schemes on public open space taking into account the scale of the proposal, the number of future occupants and the land uses involved. The Borough will apply a standard of 0.74 sqm for commercial developments while taking into account any funding for open spaces through the Community Infrastructure Levy.

The proposed development, in the absence of a legal agreement securing an appropriate financial contribution towards public open space, would fail to mitigate the additional pressures and demands placed on existing open space in this area by the development, contrary to policies A1 (managing the impact of development), A2 (Open space) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

**Recommendation**

Refuse planning permission.