

3 Amenity

- 3.1 Development can be positive, but it can also have a significant environmental impact on the amenity of those who live near the development site. It can sometimes cause general nuisance and disturbance, vibration, noise pollution and dust pollution. Development can also have an impact on the surrounding landscape and biodiversity.
- 3.2 The negative impacts of development on amenity can be short term and connected to the construction phase of the development, or they can be long term and connected to the day to day operation of the development. The negative impact of a development on the amenity of the surrounding area can normally be offset by good design, planning conditions and controls covered by other legislation.
- 3.3 Where these measures are not adequate to deal with the potential negative environmental impacts of a proposed development which is deemed generally acceptable, a Section 106 Agreement can be drawn up between the Council and the developer, requiring the developer to undertake certain actions to offset those impacts.
- 3.4 The Council will seek to manage the impact of development when considering a development proposal in line with Development Plan policies DP26 and DP28. However, certain aspects of demolition and construction have specific planning implications and may need to be addressed through planning conditions or planning obligations entered into through a Section 106 Agreement.
- 3.5 Depending on the complexity and potential impact of the proposal costs may be sought from the applicant to cover the additional costs to the Council of resourcing the necessary assessment and supervision of these plans and requirements.

Construction

- 3.6 Where demolition and construction is likely to affect local amenity, it is better to consider the environmental impacts at the planning stage and seek ways to minimise them. Many concerns can be addressed through adoption of a co-operative stance between all parties involved and developers should refer to and utilise the Considerate Constructors Scheme.
- 3.7 Many of the environmental impacts of construction works are covered by specific legislation to control pollution, maintain clean air and minimise disturbance. Because of this and other controls small construction projects cause relatively minor amounts of local disturbance and in most cases will not require a section 106 agreement to deal with construction management. However, in the case of large construction and demolition works, planning obligations may be used to minimise the environmental impacts and address the consequences of construction (e.g. to manage construction traffic and/or reinstate surfaces to a condition that existed prior to construction).

- 3.8 In most cases planning obligations will involve a demolition and/or construction management plan. Please refer to Camden Planning Guidance 6 Amenity, Section 8 for further detail on Construction Management Plans (CMPs). In these plans the developer undertakes to carry out the demolition or construction works in strict accordance with a plan approved by the Council. The plan may include provisions for phasing, sequential development, management of waste, controlling noise and access during construction. When drawing up the construction or demolition management plan the developer will be required to consult with officers of the Council, the police and local residents and businesses as relevant. Local businesses could also be used to supply materials and services in relation to development and construction in order to minimise travel distances and transport costs.
- 3.9 As outlined also in CPG4: Basements and lightwells measures to alleviate impacts may be secured through condition and/or section 106 agreement as appropriate. As many impacts occur beyond the application sites section 106 agreements will need to be used.
- 3.10 This may require the submission and approval of further plans and methodologies in advance of works starting. These will need to be submitted as soon as logistically possible e.g. on appointment of a contractor (who should be informed of and familiar with these type of requirements as part of a selection process), but well in advance of any works on site taking place. If the Council cannot approve the submitted material because it is inadequate or not enough time has been given then works cannot commence.
- 3.11 **All related plans must be prepared and submitted well in advance of works taking place and must be approved before any related works commence.**
- 3.12 The Council may require the developer to set up a Construction Working or Liaison Group in order to discuss, advise and, where appropriate, make recommendations to the developer in relation to construction management. The Working Group should be made up of an appropriate number of representatives from local residents and/or business associations, a nominee of the Council, and a project manager and/or Liaison Officer who will act as a point of contact between the local community and the developer.
- 3.13 A Construction Working Group can have an input into the Construction or Demolition Plan or Method Statement for Construction, which the developer must submit for the approval of the Council before implementation. The plan or statement should normally cover the following:
- the programme for construction works;
 - site conditions;
 - erection of hoardings and scaffolding;
 - time of operations;

- noisy activities;
- time of deliveries;
- dealing with construction traffic, vehicles and other likely traffic and parking issues;
- temporary road and footway closures and surfacing reinstatement/repair proposals; and
- consideration of complaints from the business and residential community.

- 3.14 Construction should proceed at all times in accordance with this plan or Method Statement and updated where appropriate to respond to changing circumstances. A pro-forma CMP is available on the Council's website at <http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/planning-agreements.en>

Construction waste

- 3.15 The Council will seek to minimise the amount of waste generated by a development and to maximise the amount of waste that is reused or recycled. Developers should try to ensure that construction waste is minimised. Recycling of demolition waste can help reduce the amount of aggregates that have to be transported through London and contribute to the saving of resources.
- 3.16 Construction waste needs to be disposed of safely and the vicinity of the construction site should be kept in a clean and safe condition. The Council may require the developer to submit for approval a Construction Waste Management Plan separately, or as part of an overall Construction and Demolition Plan, which the Developer will be obliged to follow during the period of construction.

Noise

- 3.17 Noise pollution has a major effect on amenity and on quality of life in general. The Council will not grant permission for noise sensitive development in locations where there is noise pollution, unless appropriate attenuation measures are taken. Policy DP28 Noise and vibration sets out the acceptable thresholds for noise in relation to sensitive uses. If suitable separation cannot be achieved the Council will consider whether it is practical to control or reduce noise levels through the use of conditions, planning obligations or other environmental legislation.
- 3.18 Whilst design measures and planning conditions will often be sufficient to address noise impacts within the development site, planning obligations may require (including a financial contribution where legitimate):
- noise mapping;

- noise monitoring to identify the number of people adversely affected by noise from road traffic and railways, and to validate noise levels calculated by noise mapping; and/or
 - a post development survey to confirm that requisite measures have been implemented successfully.
- 3.19 In addition the Council may require a noise management plan through a legal agreement, which may require a developer to:
- put in place a scheme for the sound insulation of affected dwellings in order to safeguard amenity;
 - reduce noise at source, e.g. by vehicle fleet selection to minimise noise generated by individual vehicles such as delivery lorries, cars and railway vehicles;
 - implement off-site noise mitigation measures against traffic noise and vibration such as noise barriers and sound insulation of residential properties and other noise sensitive receivers;
 - provide and maintain off-site tree and landscape buffers;
 - put into operation a traffic management scheme to reduce road traffic noise; and/or
 - work with the local highways authority to implement requisite highways works and a maintenance programme incorporating provision of quieter road surfaces, such as porous asphalt.

Contaminated land

- 3.20 Contamination of the ground and underground water can affect human health, cause harm to the natural environment and damage buildings and underground services. The Council will require measures to remove unacceptable risk from contaminated land and thus make the site suitable for its new use by way of planning conditions.
- 3.21 Where a development includes any potentially contaminative uses the Council will expect proposals to be submitted to prevent future contamination of land or groundwater and may impose planning conditions to that effect. Land contamination issues must be fully addressed in any environmental assessment or statement to accompany a planning application.
- 3.22 For those developments in or adjacent to areas where objectives for land contamination are unlikely to be met by condition (i.e. where there is still a residual impact), the Council will require a section 106 planning obligation. The planning obligation will be directed towards measures designed to deal with the contamination, including during construction works, and to make the site suitable for its intended use.
- 3.23 The Council may require a financial contribution for:
- site investigation and remediation works which would include any measures to prevent hazards arising from future use of the site and the disposal or containment of any contaminants;

- for monitoring work following the completion of the development, e.g. measuring gas or water contamination in boreholes or installing permanent monitoring equipment; and/or
- a post-development survey to confirm that requisite measures have been implemented successfully.

3.24 A management plan may also be necessary requiring the maintenance of remedial works such as landscaping or water treatment facilities, or imposing restrictions on the land to minimise and control future potentially hazardous or contaminating development or use of the site.

Microclimate

3.25 Large developments have the potential to change the microclimatic conditions in the surrounding area, for example by overshadowing a public space for large parts of the day, or by causing windy conditions around the development. The Council will expect that in the case of a development that has the potential to have an adverse effect on the environmental conditions in a nearby street or public space relevant attenuation measures should be integrated into the proposals.

3.26 On-site attenuation measures can also be specified in the planning conditions attached to a planning permission. The Council may require a developer to undertake an assessment (e.g. a wind assessment) of the development as part of the planning application submission. The developer may be required to integrate any findings or recommendations into the finished development. The Council may also require the developer to manage and maintain a development in accordance with an environmental plan, which may need to be approved as part of an application.

3.27 In certain cases the adverse effects of a development on the environmental conditions of the public spaces around and within the development may be attenuated by off-site measures such as planting trees as a windbreak. Other off-site shading or shielding devices may be required to control or improve the environmental conditions in public and semi-public spaces around the proposed development. The Council may require the developer to pay a financial contribution to secure these site related works.

5 Design

- 5.1 The Council's planning policies seek to ensure that Camden's places and buildings are attractive, safe, healthy and easy to use. Core Strategy policy CS14 - Promoting high quality places and conserving our heritage requires development to be of the highest standard of design that respects local context and character, including improving the spaces around buildings and achieving high quality landscaping in schemes. More information about our detailed approach to the design of new developments and alterations and extensions can be found in Development Policy DP24 - Securing high quality design.
- 5.2 The Core Strategy also sets out our approach to other matters related to design, such as tackling climate change through promoting higher standards (CS13), the importance of community safety and security (CS17) and protecting amenity from new development (CS5). Further guidance on design is contained in our Camden Planning Guidance 1 – Design

Soft landscaping and ecology

- 5.3 Landscaping is an essential element of high quality design. Planning obligations may be required to protect or secure appropriate landscaping and planting on or around the site if the potential impacts of a development on public spaces, parks and other local green spaces are substantial enough to require mitigation measures. If they are deemed to be necessary to make a development acceptable and so closely related to a development site then they may be secured through a section 106 agreement. More generic area based landscaping works will generally be funded through the CIL.
- 5.4 The Council will consider the detailed landscaping proposals submitted with applications or if necessary specify the scope of the requisite measures and calculate the cost of new planting, new features and associated works based on the cost of implementation by Council contractors. As part of a section 106 Agreement the Council may require a developer to submit for approval a landscape management plan setting out measures and standards in relation to the retention, management and maintenance of affected wildlife habitats, landscapes and other valued spaces which support biodiversity.

Hard landscaping, works to streets, highways and public realm

- 5.5 A whole range of developments may require works to be carried out to the surrounding streets and public spaces to ensure that the site can be safely accessed, and to allow a new development to properly and safely function. Some works may also need to be carried out to mitigate the impacts of development and could include any of the items listed below. Where these works are clearly related to the development of a particular site they will be funded through section 106, but more area based generic works or schemes would generally be funded through the CIL.

5.6 These site specific works could include:

- a connection to a public highway;
- alterations and improvements to junctions;
- new or improved footways and pedestrian facilities;
- new or improved cycle routes and cycle stands;
- new traffic islands/refuges;
- pavement reinstatement and resurfacing;
- new or improved crossings and traffic control signals;
- crossovers;
- road closures / stopping up;
- road realignment and/or widening;
- bridge works;
- traffic reduction and calming measures
- parking management schemes/revisions to a CPZ;
- Traffic Regulation Orders, e.g. loading areas;
- works and improvements to canals and waterways.

Other site-specific public realm works may include:

- retention, repair and reinstatement of historic surface treatments;
- making access to a new development easier and safer for disabled people;
- trees on streets, public or private open spaces;
- street furniture (in some cases removal/rationalisation of street furniture would be appropriate);
- improved street lighting;
- associated signage;
- public art – either within public areas or on private land visible from the street;
- CCTV;
- associated drainage works;
- specific site related conservation area enhancement; and specific area initiatives, e.g. town centre improvements.

Highway works

- 5.7 The Council, as the local highways authority, is responsible for the maintenance, safety and quality of the borough's roads and highways and other adopted public spaces. It will determine how highway and/or other related works should be designed and implemented, in consultation with developers, to ensure that they are carried out in accordance with Council procedures and standards. Developers should refer to the Camden's Streetscape Design Manual. (Note: the Transport

for London Road Network is the exception where TfL are the highway authority).

Level plans

- 5.8 The design of any development needs to take account of the surrounding topography and in particular the levels of site where it adjoins the public highway. The Council will not adjust highway levels to meet accesses that do not sit at the required level. It will be a requirement of a Section 106/278 agreement for the developer to submit level plans to the Council for approval prior to implementation. These plans will need to show existing and proposed levels for channel, top of kerb, back of footway and any other features of relevance. They will also need to clearly show that any accesses or adjoining open areas will match the back of footway levels required.

Agreement of highway works

- 5.9 There are two main ways for public highways works on Borough roads to be undertaken through a section 106 / 278 obligation. The Council can design and carry out these works at the developer's expense; or the developer can (with the Council's agreement) design the works themselves to a specification set by the Council. The Council will then undertake these works at the developer's expense.
- 5.10 In both cases, the Council will exercise control over the design of the works and be involved in the implementation of the scheme. Any works which will or may affect the structural integrity of the highway requires approval and inspection by the Engineering Service's structural engineers. Works may be subject to a formal Approval in Principle under highways legislation. For more information and advice please contact the Council's Engineering Service. Occasionally where very minor works are involved, the Council may, subject to agreement in advance, allow the developer to undertake the works on the Council's behalf (under Council supervision).
- 5.11 In very limited circumstances (e.g. where a Borough road is not maintainable at the public expense, or in large scale developments), a scheme could be designed and implemented by the developer, although the Council's Engineering Service would still need to instruct and approve the scheme. The Council will always have the right to intervene (at the developer's expense) if any works are not to the Council's reasonable satisfaction.
- 5.12 For planning applications located on or affecting GLA roads (Transport for London Network - TLRN), the local planning authority will consult with Transport for London regarding the suitability of the proposed scheme. Where the development would involve an alteration to or a new access onto the TLRN, Transport for London has ultimate responsibility for indicating what is acceptable.
- 5.13 The particular approach to be followed will need to be agreed with the Council before the obligation can be completed. In all cases the works

will need to be completed within an agreed timescale. In some situations where highway works are necessary to allow the development to commence, the works will need to be completed before the works approved by the planning permission are started though in many circumstances any highways or public realm works will tend to follow on from the main construction.

Payment for highways works

- 5.14 The Council will secure payment of required works by preparing an estimate (including fees) for the scheme that the developer will be required to pay before commencing development. It is inevitable that, sometimes, unforeseen costs can arise during more detailed design and implementation. The agreement can provide for a subsequent adjustment to be made if actual costs exceed the amount paid, up to a maximum figure, usually agreed through the planning obligation. On completion of the works the Council will certify how much money was expended in undertaking the works.
- 5.15 If extra costs are incurred which cannot be reasonably predicted or costed, e.g. involving utilities and statutory undertakers and the expenditure exceeds the contribution paid through the section 106 agreement, the Council will require the developer to pay the excess amount. An option may be for developers to pay a one-off negotiated returnable bond or contingency sum in addition to the estimated cost, the size of which will be based on the nature, scale and risk associated with the particular works
- 5.16 If the works cost less than estimated and the agreement of the developer or landowner has not been obtained so that funds can be spent on complementary and similar works in the vicinity of the site, then the Council will repay any unspent monies.
- 5.17 Scheme costings include design, supervision and contract fees will be indexed linked from the date the agreement is signed. The developer will also be required to pay the Council's costs in respect of any necessary traffic management orders or other appropriate costs related to the works.
- 5.18 In occasional situations, it may be appropriate for other accountable parties to implement works or expend funds under the supervision of the Council. Examples of this may include works to canals/waterways or other areas of land over which the Council does not have control.

Public art

- 5.19 The Council encourages the use of public art, either as a permanent or temporary feature, within the urban design process. Public art can be a catalyst for improved environmental quality by upgrading and animating public space, enhancing local character and identity through helping create a 'sense of place', and promoting better visual 'legibility' of the local area by contributing to more recognisable and distinctive places and townscape.

- 5.20 Public art can also serve as an emblem of civic pride or corporate image. It can further improve the marketability of a property and add to the process of urban regeneration. In this sense public art can be seen, both in the short and long term, to add value to a development and to enhance the visual quality of an area.
- 5.21 Examples could include painting, sculpture, photography, film and video, projections, installations, murals, tapestry, decorative ironwork, glass engravings, street and performance art, and elements integral to buildings and surrounding public spaces themselves. Many developers will be committed to public art and high quality design and will positively incorporate public art plans and works when new major developments are being designed and commissioned.
- 5.22 A new development, particularly one which is large enough to attract significant numbers of visitors or to change its context, may be expected to incorporate public art as part of the necessary measures proposed to enhance public spaces and the surrounding townscape. Public art initiatives may more appropriately be an integral part of the design and commissioning process for new development or through the creative management and use of spaces and facilities. Exceptionally they may need to be provided or funded either through the use of section 106 agreements or planning conditions.
- 5.23 The Council will only seek a planning obligation in circumstances which are appropriate and directly related to the proposed development, and where it is not possible to deal with the matter through the imposition of a planning condition. The circumstances where an agreement may be required will be determined by factors such as the precise location, nature and scale of a development, taking into account the nature of the site, the scale of associated public realm schemes and the extent of public accessibility.

Community safety

- 5.24 Achieving community safety in all new developments is an important objective for the Council which is reflected in Core Strategy policy CS17– Making Camden a safer place. Crime preventive design is an important aspect of achieving community safety and should be considered from the earliest stages of a development proposal and integrated into the design. More information on designing safer environments is provided in CPG1 – Design, chapter 09 - Designing safer environments.
- 5.25 Where an otherwise acceptable development could have potentially negative impacts on local community safety, either through its uses , hours of operation, or its design, the Council will require the developer to undertake or fund appropriate site related works or measures to minimise these impacts, which may be secured through a Section 106 Agreement.

5.26 Developments of the following types may require a planning obligation to address community safety issues:

- New proposals (generally those considered “major” or over 1000 square metres) for leisure facilities and venues including uses such as gyms, leisure centres and cinemas that are likely to operate late at night. Any development proposals for entertainment venues will be expected to contribute to improving local safety (e.g. through CCTV coverage);
- Most cafes, restaurants, public houses and clubs with late night opening (generally those that could hold 100 or more people). With applications for new licensed premises (including clubs), the use of security measures around entrances and vicinity management may be required. This will be especially important in the areas identified as having relatively high levels of crime;
- Major town centre and high street developments including retail, hotel, office and mixed use developments that may be open into the night and/or are substantial enough to generate significant increases in visitor numbers and use of local public transport facilities;
- Major residential developments (over 10 units) that suffer from poor public transport accessibility and/or poor pedestrian routes and linkages to public transport facilities, local shops and community facilities;
- Developments located in the vicinity of a canal or waterway; and
- Developments that have specific user or design requirements, such as secured rear servicing, that have implications for the quality of pedestrian routes and streets (e.g. high, blank walls and blank elevations).

5.27 Whilst many measures can be addressed through good design planning obligations (which could take the form of financial or non- financial) may be sought to address a range of issues set out below. Where the measures are directly related to the acceptable development of site they will be secured through section 106 with more area based generic improvements being funded through the CIL:

- Improving and creating safer routes for pedestrians directly serving and in the vicinity of the development
- Improving and creating safer routes for cyclists directly serving and in the vicinity of the development;
- Improvement or provision of lighting to established or proposed pedestrian routes and cycle routes to make them safer;
- Rerouting of or controlling access to underused and potentially dangerous paths and links such as subways and alleyways which serve a limited purpose;
- Improvements to housing estates in the vicinity of the development at risk of an increase of Anti-social behaviour and crime as a result of it;

- Environmental improvements that contribute towards improving safety in town centres, Central London areas and other areas affected by a development, e.g. landscaping works to improve visibility and removing areas of concealment;
- Improvements to the accessibility, safety and quality of transport infrastructure and facilities serving the development;
- Works to improve the accessibility and safety of waterways and towpaths in the vicinity of the development;
- Community initiatives which may form one strand of crime prevention e.g. youth projects, provision of community safety officers/street wardens;
- Safety improvements to existing or proposed public facilities and car parks where new developments may be located; and
- Providing new and supplementing existing CCTV schemes including management and maintenance.

5.28 The provision of local management plans including community safety management plans to manage the impact of the development on the surroundings may be required. This could include plans for the construction and/or post construction phases of the development.

Development involving heritage assets

5.29 Camden has a rich architectural heritage with many special places and buildings from many different eras in the area's history. These places and buildings add to the quality of our lives by giving a sense of local distinctiveness, identity and history. Core Strategy policy CS14 - Promoting high quality places and conserving our heritage and Development Policy DP25 – Conserving Camden's Heritage recognise our responsibility to preserve and enhance the Borough's heritage assets. Further guidance on how these policies will be applied is provided in Camden Planning Guidance 1 – Design, in particular chapter 2 - Heritage.

5.30 Many of the potential impacts of development on historic buildings and in archaeological priority and conservation areas can be covered through design and by conditions on the planning permission, for example the need to carry out surveys or the storage and restoration of artefacts.

5.31 Some objectives for building and area conservation or archaeology may not be satisfactorily controlled by a condition. Where impacts are off-site, or involve a particularly sensitive or complex programme of works, involving phasing, the Council may require implementation of these measures through a Section 106 Agreement. This would be in accordance with policy DP25.

5.32 Depending on the nature of the scheme, the Council may require a developer to:

- put measures in place so that work can be stopped if the developer finds some archaeological artefacts during construction;

- provide, implement and maintain a suitable historic landscape management plan;
- draw up a listed building or conservation maintenance, repair and/or management plan;
- provide and implement a restoration scheme for historic buildings and features perhaps to a set timescale and an agreed specification;
- provide and financially support an information centre including the resourcing of staff;
- carefully record, remove, store, display and maintain specifically identified artefacts or remnants from demolition as part of a new development or in another location;
- safeguard in perpetuity an area containing significant remains and incorporate it into the design of the scheme and allow and manage public access;
- undertake and complete specified works prior to implementation or occupation of any new or enabling development; and
- carry out related surveys.

5.33 A financial contribution or works in kind may also be justified for other site specific works. For example:

- to secure the investigation and protection of archaeological remains and ancient monuments in advance of development;
- to investigate, record and remove any archaeological finds and/or allow and manage public access;
- to reinstate and repair historic features (such as streetlights, bollards and surfaces, such as granite setts, cobblestones and York stone paving) directly affected by the development and its construction impacts;
- installing new paving, lighting or bollards to complement and enhance a directly affected conservation area or heritage asset.

7 Sustainability

- 7.1 Promoting a sustainable Camden is an integral element of our Local Plan documents strategy. Core Strategy policy CS13 – Tackling climate change through promoting higher environmental standards sets out a key part of our overall approach to tackling climate change, which includes promoting higher environmental standards in design and construction.
- 7.2 Core Strategy policy CS13 states that the Council will have regard to the costs and feasibility of measures to tackle climate change within developments (paragraph 13.4). This approach also applies to policy DP22. We will also take into account the cumulative costs of not responding to the need to mitigate and adapt to climate change as well as the long term cost savings, such as on energy and water bills, to future occupiers. Measures to tackle climate change are integral in the development process and are a priority of the Council, therefore, they should not be seen as ‘add-ons’. They are an essential element of sustainable development. For further information on ways to achieve carbon reductions and more sustainable developments please refer to Camden Planning Guidance note 3 – Sustainability.

Biodiversity and habitats

- 7.3 Planning obligations may be used to require developers to carry out works to secure or reinstate existing habitat features, enhance existing features, create new features or to undertake habitat creation schemes. In those very exceptional cases where a developer cannot protect an ecological habitat adjacent to or within the boundaries of the site and in other respects the development is acceptable they will be required to provide an alternative compensatory measure of equal or greater value.
- 7.4 These measures could be land off-site on which the Council or other responsible agency can carry out works and recover the reasonable costs from the developer, or assistance in enlarging or enhancing existing nature conservation assets and habitats and make provision for maintenance of the site.
- 7.5 A planning obligation may also be appropriate where additional monitoring or survey work is considered necessary to confirm that relevant environmental measures have been implemented successfully. Some developments may result in increased activity and affect the value of areas of nature conservation merit adjacent to or within the site.
- 7.6 In certain circumstances legal agreements may be appropriate to restrict types and hours of activities and development rights. They may also be used to control access so as not to damage or harm existing features and to make proper provision for the long-term maintenance of directly affected sites.

Sustainable design and construction

- 7.7 Policy DP22 – Promoting sustainable design and construction contributes towards delivering the strategy in policy CS13 by providing detail of the sustainability standards we will expect development to meet. Meeting the requirements for sustainable design and construction is often achieved in the detailed design or construction phases. Normally, requirements for environmental design will be dealt with using conditions, but in some circumstances, a Section 106 agreement may be required to secure an environmental assessment of the proposed development carried out by an impartial assessment body or a sustainability plan to provide and maintain the highest environmental standards of development.
- 7.8 If they cannot be implemented through the approved design or satisfactorily secured through conditions, the following design features may be specified through a sustainability plan required to be submitted as part of a section 106 Agreement:
- energy efficient design measures;
 - renewable energy facilities;
 - waste and recycling storage facilities;
 - water retention and recycling facilities;
 - heating or cooling systems;
 - internal water consumption levels; and
 - materials sourcing proportions.
- 7.9 Other specific management plans may normally be required through a condition of a planning approval. However, some proposals or aspects of a proposal might generate a requirement for a management plan to deal with some of the following issues, depending on the scale, nature and location of the scheme:
- waste management;
 - energy including renewable energy on site and energy efficiency;
 - facilities management;
 - construction and demolition;
 - water efficiency;
 - Sustainable Drainage Systems (SUDs)
 - community safety;
 - contamination;
 - hazardous substances; and
 - biodiversity.
- 7.10 This list is not exhaustive, and the requirements will be relevant, proportionate and related to the specific nature and potential impacts of the development proposed.

- 7.11 Camden Planning Guidance 3, Sustainability provides further detail on the appropriate standards for different types of development – BREEAM, Ecohomes or the Code for Sustainable Homes. A Section 106 Agreement may be used by the Council to require the developer to carry out and submit a post-construction review to ensure that the development has met the criteria which were approved earlier as part of the estimate and design stage assessments. The Council will not permit occupation of the development until a satisfactory post-construction review has been provided and any issues identified in that review have been satisfactorily addressed

Decentralised energy networks

- 7.12 Developments are expected to connect to a decentralised energy network unless it can be demonstrated that it is not technically feasible or financially viable. Developers should use guidance in CPG3 – Sustainability chapter 5, to determine whether connection to a decentralised energy network, a combined heat and power plant or a contribution towards a decentralised energy network will be expected.
- 7.13 Where justified and clearly related to the development of a site section 106 agreements will be used to secure:
- the installation of CHP/CCHP and the generation and use of energy;
 - details that ensure the plant and its operation is carbon dioxide efficient with regards to operating hours, compatibility with the need (amount and timing) for heat, and requirements for a heat store;
 - details that ensure the design of the heating system is compatible with any nearby decentralised energy network; the export of heat, cooling and/or electricity;
 - developments use heat, cooling and or electricity from a decentralised energy network;
 - sufficient space is provided for future plant, heat exchanges, connection points to either generate, export and take heat, cooling and/or electricity; and
 - a financial contribution towards future decentralised energy networks in the immediate vicinity of the site.

10 Transport

Car free and car capped housing

- 10.1 In order to encourage use of other types of transport and reduce parking stress the Council will use legal agreements to make development car free or car capped. This will limit the number of new residents from being able to obtain on-street parking permits (unless the resident is the holder of a disabled persons badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970.)
- 10.2 Agreements will require the owner of the property to inform the Council's Planning Obligations officer in writing of the official postal address of the property (as issued and agreed by the Council's Street Name and Numbering Department) and to clearly identify the unit number of the car free units specified in the legal agreement before the development is occupied. The owner will also be required to inform any occupants of the property of any car free restrictions (in writing). Please refer to CPG7: Transport on car free and car capped developments for an explanation why the Council imposes these restrictions.
- 10.3 Once planning permission is granted which includes a car free restriction, a copy of the agreement will be passed to the Council's permit issuing team who will maintain a record of properties excluded from obtaining a parking permit. In cases where part of the property is subject to a car free restriction no parking permits will be issued until the owner or developer has clarified in writing with the Council's Planning Obligations officer the official postal address of the property and identified the unit(s) to which the car free restriction applies.

Travel plans

- 10.4 The Council may use legal agreements to require travel plans to manage the impacts of the development where these measures are deemed necessary to control the impacts of the development. A contribution may be sought to cover the staff costs for overseeing the implementation of these plans. Please refer to CPG7:Transport for further information on Travel Plans and Transport Assessments.

Public transport contributions

a) Contributions towards Crossrail

- 10.5 The collection of funds for Crossrail is required under Policy 6.5 of the London Plan (Funding Crossrail and other strategically important transport infrastructure) which states that:
- 10.6 'In view of the strategic regional importance of Crossrail to London's economic regeneration and development, and in order to bring the project to fruition in a suitably timely and economic manner, contributions will be sought from developments likely to add to, or create, congestion on London's rail network that Crossrail is intended to

mitigate. This will be through planning obligations, arrangements for the use of which will be established at strategic level, in accordance with relevant legislation and policy guidance.'

- 10.7 In April 2013 Supplementary Planning Guidance was published by the Mayor explaining how this system will operate alongside the Mayor's Crossrail CIL. In Camden all office, retail and hotel development schemes in Central London and the Euston and Kings Cross Opportunity area which add more than 500sq m of floorspace will need to will need to pay a charge.

Use	Rate per sq m
Office	£140
Retail	£90
Hotels	£61

- 10.8 Applicants' are recommended to consult the 2013 Supplementary Planning Guidance note on the Use of Planning Obligations in the Funding of Crossrail, and the mayoral community infrastructure levy which can be viewed on the Greater London Authority web site.
- 10.9 In general terms, funds collected under the Mayor's CIL for office, retail and hotel uses (currently £50 per sq m) can be deducted from the section 106 charge. The charge will be collected by Camden on behalf of the Mayor. The negotiation of the contribution towards Crossrail will be carried out having regard to Policy 8.2 (Planning Obligations) in the London Plan.

b) Other public transport contributions

- 10.10 Where public transport provision is not adequate to serve a development (in terms of capacity, frequency, reliability, boarding points, access to boarding points and vehicles), and the absence of such provision would make a development unacceptable the Council may seek a contribution to public transport provision in accordance with the statutory tests. This will be assessed through the transport assessment. Please see CPG7: Transport on Assessing transport capacity.
- 10.11 The Council will therefore consider mechanisms such as those listed below to reconcile development proposals with the public transport services which will serve them:
- seeking contributions to existing provision so that they can serve the development better (examples could include enhancing pedestrian routes to stops, providing shelters, better seating and real-time information at stops, or increasing service frequencies); and
 - seeking contributions towards pooled funds to be used towards a particular provision or type of provision once accrued funds are adequate (examples could include funds for bus priority measures extending some distance along a route, for an extension to a route, or

for a co-ordinated series of measures across an area to make public transport safer at night).

- 10.12 The pooling of funds will be limited to 5 contributions per infrastructure project or type of infrastructure. The Council will generally consider seeking contributions towards facilities that assist the use of public transport services which have an existing or proposed boarding point within a convenient walking distance of the development. For bus services, a convenient walking distance is generally up to 400 metres. For rail services, a convenient walking distance is generally up to 800 metres. Funds will not be sought for transport projects which are in Camden's CIL funding list.

Pedestrian, cyclist and environmental improvements

- 10.13 New developments also have wider impacts and may increase the demands on a transport network that at certain times already operates above capacity. Traffic problems include congestion, traffic intrusion (e.g. additional traffic on quiet lanes), road safety, air quality and the impact of additional traffic on other, especially vulnerable, highway users. Such development also increases the need to improve transport alternatives such as walking, cycling and public transport; this requires further investment so as to make these modes more attractive. Where these are site specific and necessary works to make a scheme acceptable they may be secured through planning obligations. Wider strategic and area-based network improvements will generally be addressed through the use of CIL funds.

