

Address:	1 Hampshire Street LONDON NW5 2TE	
Application Number:	2017/2883/P	Officer: David Peres Da Costa
Ward:	Kentish Town	
Date Received:	22/05/2017	
Proposal: Redevelopment of the site to provide 4 storey building with 334 sqm of commercial floorspace (Class B1) and 16 residential units (5 x 2-bed, 6 x 1-bed and 5 x 3-bed) (Class C3) with terraces at front and rear following demolition of existing photographic studio (Class B1c).		
Background Papers, Supporting Documents and Drawing Numbers :		
<p>Site location plan (100 P.01) Existing drawings: 210 P.01; 211 P.01; 220 P.01; 230 P.01;</p> <p>Proposed drawings: 101 P.04; 310 P.07; 311 P.05; 312 P.05; 313 P.05; 314 P.04; 410 P.02; 500 P.03; 510 P.04; 511 P.02; 512 P.02; 513 P.02; 710 P.03;</p> <p>Supporting documents: Area Schedule dated 2017.04.10; Daylight and Sunlight Study (Neighbouring Properties) prepared by Right of Light Consulting dated 28 April 2017; Daylight and Sunlight Study (Within Development) prepared by Right of Light Consulting dated 28 April 2017; Assessment Of Economic Viability prepared by Bidwells dated May 2017; Sustainable Drainage Systems and Flood Risk Assessment Report prepared by BE dated 17 July 2017; Tree Constraints Plan CCL 09675; Arboricultural Report prepared by Crown Consultants 20 April 2017; Tree schedule; Transport Statement prepared by Ardent dated May 2017; Energy and Sustainability Statement incl appendices prepared by BE dated 18/05/2017; Built Heritage Statement prepared by CGMS dated May 2017; Zero Carbon Homes Offset Payments; Design and Access Statement prepared by SADA Architecture dated May 2017; Planning statement; Mann Smith Viability Report dated 1/8/17; Supplementary DAS prepared by SADA Architecture dated September 2017; Domestic Overheating Assessment prepared by BE dated 17/5/17; Bauder Intensive Substrate technical data sheet 21-10-2015; Appendix C Green Roof Flow Capacity Calculations submitted 09/02/2018; Brownfield Estimation Of Peak Flow Rate Of Runoff submitted 09/02/2018; Bauder General Maintenance Information; Attenuation Storage Volume submitted 09/02/2018;</p> <p>Council's background papers: Independent Viability Review prepared by BPS dated 21/7/17; Addendum prepared by BPS dated 7/11/17</p>		
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section106 legal agreement		
Applicant: Redtree (North London) Ltd	Agent: KR Planning	

44 Great Eastern Street LONDON EC2A 3EP	183 Seafield Road Bournemouth BH6 5LJ
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ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	B1c	Business (for any industrial process)	649m ² (GIA)
Proposed	B1a C3	Business (office) Dwellinghouses	334m ² 970m ²

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	Flat/Maisonette									
Proposed	Flat/Maisonette	6	5	5						

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0	0

OFFICERS' REPORT

Reason for Referral to Committee: Major development where this involves the construction, extension or conversion of floorspace for 10 or more new dwellings. (Terms of reference 3(i))

1. SITE

- 1.1. The site currently comprises two buildings which form one commercial premises; a two storey building and a large hall/studio building with a mezzanine at first floor level. The site does not fall within a conservation area and the building is not listed or locally listed. The Camden Square Conservation Area lies 50m to the south east of the site. The existing site is in use as a photographic studio.
- 1.2. The surrounding area is predominantly residential in nature. Neighbouring the site to the north is a 3 storey block with B1 office at ground floor and residential above. Neighbouring the site to the south is a 2 storey building which appears to be in B1 use, beyond which are residential properties on Torriano Avenue. At the rear of the

site are semi-detached residential properties on Camden Road. Opposite the site to the northwest are two 4 storey purpose built residential blocks (Carters Close and Long Meadow).

2. THE PROPOSAL

Original

- 2.1. The application seeks to redevelop the site with a 4 storey building with 334sqm B1 office floorspace at ground floor (divided into 3 units) and residential above comprising 16 flats (5 x 2-bed, 6 x 1-bed and 5 x 3-bed) with terraces at front and rear. The fourth storey would be set back from the front elevation. The proposed building would have a green roof with solar PV panels.

Revisions

- 2.2. The scheme was revised to amend the design of the front elevation. In addition the following amendments were made:
- The number of cycle spaces was increased, from 28 to 30, to meet the minimum requirements for the London Plan and the Camden Local Plan.
 - The layouts of the flats was amended to comply with M4(2) standards.
 - Flat 13 was redesigned to comply with M4(3) standards.
 - The stepped facade was altered so that the façade now runs in a straight line to follow the site boundary.
 - The bays were changed to a more regular pattern and are more closely related to the internal structure and recessed facade, simplifying the elevation.
 - The residential entrance was redesigned to give it more prominence and symmetry in the front facade, and the entrance door was brought closer to the street.

3. RELEVANT HISTORY

- 3.1. **36759**: The extension of the existing factory to provide additional light industrial floor space. Granted 24/10/1983
- 3.2. **8903305**: Alteration and extension to an existing factory to provide light industrial accommodation including 3 parking spaces. Granted 23/01/1990
- 3.3. **PE9900753**: Alterations to front of existing building including formation of a new entrance and insertion of a window, closing up the existing entrance, the erection of a front flat roof extension and the replacement of a pitched corrugated sheet roof with a flat roof. Granted 21/03/2000

3 Hampshire Street

- 3.4. **2010/1872/P**: Demolition of building and replacement by a new 3 storey block comprising Class B1 business unit, refuse and cycle stores and residential entrance on ground floor and 7 x Class C3 selfcontained flats in 2 separate blocks on 1st and 2nd floors with gardens and balconies. Granted Subject to a Section 106 Legal Agreement 03/09/2010

- 3.5. **2012/0097/P**: Amendment to planning permission dated 03/09/2010 (ref. 2010/1872/P) (for demolition of building and replacement by a new 3 storey block comprising Class B1 business unit, refuse and cycle stores, residential entrance on ground floor and 7 x Class C3 self contained flats in 2 separate blocks on 1st and 2nd floors with gardens and balconies), involving erection of 3rd floor to northeastern block to provide one selfcontained flat and installation of 2 external lifts to both blocks. Granted Subject to a Section 106 Legal Agreement 30/03/2012

4. CONSULTATIONS

Non-statutory Consultees

- 4.1. Thames Water
- 4.2. *Waste comments*
- 4.3. Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 4.4. Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.
- 4.5. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."
- 4.6. *Water Comments*
- 4.7. Thames Water recommend the following informative be attached to any planning permission: There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.
- 4.8. On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

4.9. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

4.10. **Adjoining Occupiers**

<i>Total number of responses received</i>	5
<i>Number in support</i>	0
<i>Number of objections</i>	4

4.11. A site notice was displayed from 14/6/17 to 05/07/17 and the application was advertised in the local paper on 15/6/16.

4.12. Four letters of objection were received from occupiers 213 and 215 Camden Road and Councillor Jenny Headlam-Wells, who was objecting on behalf of the residents of the Torriano Estate. One comment was received from an occupier of Royal College Street. The issues raised were as follows:

1. The development is 4 storeys high. The recent building at 3 Hampshire Street is overbearing and the current proposal is intended to be one storey higher than this. I consider that this will have an overwhelming effect on the amenity and current outlook enjoyed by the Camden Road residents and particularly dominate their rear gardens. It is a monolithic structure and completely out of keeping with the area.
Officer comment: The proposal is for a four-storey building a set-back top floor. This relates to the four-storey LCC blocks to the northwest, opposite the site, and the four-storey plus roof terraces to the south east, to the rear of the site. The scale and design is considered appropriate and in context with the site.

2. The houses (bedrooms, living rooms, kitchens) and gardens of Camden Road will be overlooked from the rear walkways of the intended block. This lack of privacy is totally unacceptable.

Officer comment: Although there will be some overlooking of gardens, there are sufficient separation distances between the proposed building and existing houses to the rear.

3. The use of the walkways and the lift is inevitably going to generate additional noise, even during normal use, with people coming and going, potentially at all hours of the day and night.

Officer comment: Given the distances to other residential properties, and the enclosure of the lift within the building, officers consider there would be no unacceptable noise impact.

4. Reduction of daylight to the lower floors of the Camden Road properties & gardens: This monolithic, overbearing ugly block is going to blot out a lot of the sunlight that is received in the lower ground floors and rear gardens as it is much higher than the existing building and neighbouring ones. One of the pleasures of having a private rear garden and enjoying the long summer evenings will be

removed. One of the submitted documents indicates that the garden will get 2 hours of sunlight sometime in March, which is considered acceptable by the BRE report. It is not acceptable to us.

Officer comment: The impact of the development on the light of adjoining properties has been tested and accords with BRE guidance.

5. I assume that residents will not be allowed residents parking permits, but there is nothing to prevent residents parking their cars overnight or at the weekends. They might even have friends or family who will park there at unrestricted times.

Officer comment: The development would be car-free which would mitigate the impact.

6. Parking in Hampshire Street and the immediate neighbourhood is pretty difficult at most times, and I think the development at no 3 HS has increased this difficulty. The development at no 1 HS can only make the situation worse.

Officer comment: The development would be car-free which would mitigate the impact.

7. There is a lot in the Design and Access statement about the consideration of the massing of the front of the building. Unfortunately there seems to have been no such consideration of the massing of the rear elevation, which appears to be remarkably ugly and impacting on the value of our property.

Officer comment: the Massing of the building has been considered, including its relationship to the rear. Value of property is a private matter and not a planning consideration.

8. The commercial units at ground floor level are to have a communal yard at the rear of the ground floor. There would seem to be scope for a lot of noise to be generated.

Officer comment: The space is relatively small which will restrict activity. In addition, the separation distances mean impact will be mitigated, and the commercial office uses are unlikely to operate in evenings and weekends when impact would be greatest.

9. The ground floor rear yard is going to have a fairly low wall between it and the rear gardens of the Camden Road properties. This is serious security risk. And completely unacceptable given the age of some of the people living in the house (my mother, who is 93). The Police report makes terrifying reading, it talks about the increased levels of ASB, burglaries, drug related criminal activity, violence and sexual assault in this particular catchment area, the report focusses on the safety and security measures that should be implemented to protect the potential residents of Hampshire Street. In the light of this report, what safety and security measures are intended to be put in place to SAFEGUARD the current residents of Camden Road? All residents of Camden Road are exposed and vulnerable with this new development.

Officer comment: The rear yard is separated from the street and can only be accessed through the building – where access can be controlled. Officers do not consider there would be an increase in crime.

10. Fire safety and regulations: Following on from the recent tragedy that befell Grenfell Towers, what lessons have been learnt from this and have they been implemented into this design?

Officer comment: Such cladding relates to tall buildings retrofitted – this development is not retrofitted but a new-build building of four-storleys.

11. Are "affordable" accommodation percentages being met here?

Officer comment: An independent viability report confirms that a contribution to affordable housing would not be viable. However, a deferred payment of £487,212 will be secured under a legal agreement, with a review mechanism in place.

4.13. Councillor Jenny Headlam-Wells (objecting on behalf of the residents of the Torriano Estate) raised the following issues:

1. Overcrowding of the site – sixteen flats is excessive, and will cause loss of light and privacy for neighbouring properties in Camden Road
2. No provision for social housing or intermediate housing
3. Misleading CGI representation of the external appearance. Hampshire Street is a narrow cul-de-sac, with parking spaces on the left hand side for Torriano Estate residents. The estate is bounded on the Hampshire Street side by a brick wall and iron railings. It would be impossible to achieve the panoramic view of the flats shown in the 'Street presentation' in the planning application in real life
4. Insufficient consideration given to the congestion likely to be caused in Hampshire Street by waste collection vehicles and delivery vans. This will be exacerbated by the contemporaneous expansion of other commercial and residential activity in Hampshire Street.

5. POLICIES

5.1. National and regional policy

NPPF 2012

The London Plan March 2015, consolidated with alterations since 2011

5.2. Camden Local Plan 2017

G1 Delivery and location of growth

H1 Maximising housing supply

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

H4 Maximising the supply of affordable housing

H6 Housing choice and mix

H7 Large and small homes

C1 Health and wellbeing

C5 Safety and security

C6 Access for all

E1 Economic development

E2 Employment premises and sites

A1 Managing the impact of development

A2 Open space

A3 Biodiversity

A4 Noise and vibration

D1 Design

D2 Heritage
CC1 Climate change mitigation
CC2 Adapting to climate change
CC3 Water and flooding
CC4 Air quality
CC5 Waste
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T4 Sustainable movement of goods and materials
DM1 Delivery and monitoring

5.3. **Supplementary Planning Policies**

Camden Planning Guidance 2011
CPG1 Design
CPG2 Housing
CPG3 Sustainability
CPG5 Town centres, retail and employment
CPG6 Amenity
CPG7 Transport
CPG8 Planning obligations

6. ASSESSMENT

6.1. The main considerations subject to the assessment of this planning application are:

- Land use
- Affordable Housing
- Viability
- Housing quality and mix
- Design and appearance
- Neighbouring Amenity
- Transport
- Sustainability
- Planning obligations
- CIL

6.2. **Land Use**

6.3. Loss of office space

6.4. The existing building provides 649sqm of business floorspace in the B1c Use Class. The existing occupier is a photographic studio who are owner occupiers and the applicant has advised they are leaving voluntarily. The proposed building would provide 334sqm of B1 floorspace within 3 units at ground floor level. The Planning Statement notes that the commercial units would be suitable for use by SMEs. The application therefore involves the loss of 315sqm of light industrial floorspace (Class B1c). Policy E2 'Employment premises and sites' states the Council will consider higher intensity redevelopment of premises or sites that are suitable for continued business provided that a number of criteria are met. One of the criteria is

that the level of employment floorspace is increased or at least maintained (criteria c).

- 6.5. As the level of employment floorspace is not being maintained, the possibility of affordable workspace was explored. Economic Development considered the provision of one affordable unit (out of the 3 units proposed) would be an appropriate approach. However, as the applicant's viability report and the independent BPS viability report both concluded that the provision of one affordable unit would be unviable, this option has not been pursued.
- 6.6. The Council also considered whether the applicant could provide a sponsorship programme through which a number of local businesses are able to access space at reduced rents for an agreed period. However the provision of a sponsorship scheme is only really possible if the employment floorspace provided is suitable for co-working space / shared workspace use. As the proposed scheme includes three relatively small units totalling just under 350 sqm, suitable for small and medium enterprises (SMEs), it is unlikely that this would be a workable option.
- 6.7. Economic development have recommended the Section 106 includes an obligation to market the units locally through local business channels. This would require a marketing strategy to be prepared by the owner setting out the measures to be adopted to facilitate the marketing of the employment floorspace to SMEs in the local area. This would include a strategy for marketing the employment floorspace through local business channels and networks such as Business Improvement Districts and local workspace providers.
- 6.8. The scheme would lead to a loss of employment floorspace that is suitable for continued use. While it is unfortunate that affordable workspace cannot viably be provided to mitigate this loss, should the scheme go ahead, Economic Development would seek to secure the following planning obligations in order to maximise the opportunities to local residents and businesses afforded by the construction phase of the development:
 - The applicant should work to CITB benchmarks for local employment when recruiting for construction-related jobs as per clause 8.28 of CPG8.
 - The applicant should 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 and non-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 or our work experience broker.
 - If the build costs of the scheme exceed £3 million the applicant must recruit 1 construction apprentice or non-construction apprentice per £3million of build costs and pay the council a support fee of £1,700 per apprentice as per clause 8.25 of CPG8. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre.
 - If the value of the scheme exceeds £1 million, the applicant must also sign up to the Camden Local Procurement Code, as per section 8.30 of CPG8.

- The applicant provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site.

6.9. Where premises or sites are suitable for continued business use, the Council will consider higher intensity redevelopment schemes which improve functional efficiency, maintain or increase the amount of employment floorspace and provide other priority uses, such as housing (Policy E2).

6.10. Housing

6.11. The Council regards self-contained housing as the priority land-use of the Local Plan. The proposal would provide 16 self-contained flats and such provision would accord with Policy H1 of the Local Plan.

6.12. **Affordable Housing**

6.13. Policy H4 aims to maximise the supply of affordable housing. We will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% of for each home added to capacity. On the basis of 970sqm GIA of additional housing floorspace proposed, this would result in a requirement for 18% affordable housing (174.6sqm). For developments with capacity for 10 or more additional dwellings, the affordable housing should be provided on site. No affordable housing is proposed and the applicant has provided a viability report to justify this.

6.14. **Viability**

6.15. A viability assessment has been submitted with the application. The viability assessment seeks to demonstrate that the scheme cannot provide a payment in lieu of affordable housing given the current viability of the proposed scheme. The viability assessment has been independently reviewed by BPS. The review scrutinised the costs and value assumptions that have been applied in the applicant's viability appraisal in order to determine whether the current affordable housing offer represents the maximum that can reasonably be delivered given the viability of the proposed development.

6.16. Development appraisals work to derive a residual value. This approach can be represented by the simple formula below:

$$\text{Gross Development Value} - \text{Development Costs (including Developer's Profit)} = \text{Residual Value}$$

6.17. The residual value is then compared to a benchmark land value (BLV). The rationale for comparing the scheme residual value with an appropriate benchmark is to identify whether it can generate sufficient money to pay a realistic price for the land whilst providing a normal level of profit for the developer.

- 6.18. The applicant's viability assessment has approached the Benchmark Land Value on an Alternative Use Value (AUV) basis. The applicants have provided further justification for this approach which has been accepted by BPS. They suggest that the existing building could be refurbished and a mezzanine added to provide an office of approximately 800 sq m. This would involve removing the overhead trusses to provide an open plan and flexible workspace. BPS have given a view of the rent that could be justified from such floorspace. The rental value and the build cost for the AUV scheme provides a resulting residual land value of £4.3million. BPS are satisfied that this represents a realistic position and have adopted this value as their Benchmark Land Value.
- 6.19. The residual land value resulting from BPS's appraisal of the proposed scheme was £4.34million. When compared to the Benchmark Land Value this shows that the scheme generates a surplus of £40,000, excluding expected financial contributions. This surplus could therefore be contributed towards financial contributions such as affordable housing or other planning obligations necessary to mitigate the impact of the development. In this case the other required planning obligations would use up the whole surplus.
- 6.20. Significant changes to viability are likely between the grant of planning permission and commencement, and between commencement and completion of the development. The Council seeks to negotiate deferred housing contributions for developments where the provision of housing falls significantly short of targets in Local Plan Policy H4 due to financial viability, and where there is a prospect of viability improving prior to completion. The deferred contribution is capped at the shortfall between the amount of additional housing proposed and the Council's policy targets. The payment in lieu would be £2650 per sqm. This figure is the payment level for affordable housing. In this case the policy target is £487,212.57 (970sqm x 0.18 x 1.053 [to convert to GEA] x £2650). The actual contribution would be determined by a further viability appraisal undertaken on an open book basis at an agreed point after approval of the development, but before the scheme is fully occupied. This would be secured by legal agreement.
- 6.21. **Housing quality and mix**
- 6.22. The development would provide 16 residential units (5 x 2-bed, 6 x 1-bed and 5 x 3-bed). The unit mix is broadly acceptable and is in line with Policy H7. Both 2 and 3-bedroom homes are a high priority for market housing according to the Council's Dwelling Size Priorities Table. The development would provide 31% 2-bedroom units and 31% 3-bedroom flats. One bedroom dwellings are a lower priority, however the Council acknowledges that there is a need and demand for dwellings of every size shown in the table. The Council expects most developments to include some homes that have been given a medium or lower priority level. The majority (62%) of the flats provided would be classified as 'high priority' dwelling size and this is considered acceptable.
- 6.23. All of the units would be dual aspect and all of the units would have access to a terrace providing private outdoor amenity space from 6sqm to 11sqm. All of the flats would meet or exceed the London Plan minimum space standards for

floorspace (London Plan Policy 3.5). All flats would have built in storage. The private outdoor space would meet or exceed the requirements of the Mayor's Housing SPG (Standard 26 and 27).

- 6.24. A refuse store would be provided close to the building entrance. The Council provides guidance on how to calculate the total volume of all waste and recycling generated in a week (CPG1, Chapter 10 - waste, recycling and storage). Following this guidance it is calculated that 2650 litres of waste would be generated from the 16 flats. Provision of bins should be split equally between refuse and recycling including provision for food waste. Standard Eurobins have a capacity of 1,100 or 1,280 litres. Therefore two 1100 litres Eurobin would be required (one for refuse and one for recycling) plus a 450 litre bin for food waste. The 1100 litre Eurobin measures 1370 high x 1260 width x 990 depth. The 11.5sqm refuse store would have adequate room for the required 2 Eurobins (for waste and recycling) and for food waste storage and is therefore considered acceptable. A condition would ensure the refuse and recycling store was provided before the building is occupied (condition 24).
- 6.25. **Accessibility**
- 6.26. Access to the residential units is via the central covered entranceway (off Hampshire Street) which leads to a central corridor containing the stairs and lift at the rear from which the flats are accessed by deck access. There is step-free access to all the residential units.
- 6.27. The Council requires 10% of new-build self-contained homes in each development to be suitable for occupation by a wheelchair user or easily adapted for occupation by a wheelchair user in accordance with Building Regulation M4(3). The development would provide 1 wheelchair unit (Flat 13). This level of provision would accord with Policy H6. A condition is recommended to secure compliance with Part M4(3) (condition 19). This would accord with Policy H6, which states wheelchair adaptable is appropriate to the market sector.
- 6.28. The remainder of the units would be expected to be accessible and adaptable in accordance with Building Regulation M4(2). Compliance with this building regulation would be secured by condition (condition 18).
- 6.29. The Council expects all new developments to be car free, where no provision for resident parking is made within the development or on the street (Policy T2 Parking and car-free development). However, wheelchair users may need access to a car as a consequence of their disability. If a resident with a disabled blue badge moved into the adaptable unit, dedicated disabled space could be created on the street directly adjacent to the site, where the resident's bay is currently located.
- 6.30. **Internal daylight and sunlight**
- 6.31. A daylight and sunlight report has been submitted which assesses whether the proposed habitable rooms receive satisfactory levels of daylight and sunlight. The report confirms that all rooms meet or surpass the BRE Average Daylight Factor targets, demonstrating adequate internal light levels.

6.32. The living room windows within the development would not face within 90 degrees of due south and would therefore not receive ideal levels of direct sunlight. However, the BRE guide acknowledges that it is not always possible for every dwelling to be well situated to receive direct sunlight. Notwithstanding this, each dwelling would be dual aspect and in addition, the results confirm that each unit does have access to direct sunlight via the bedrooms sited to the rear of the development.

6.33. **Sound insulation**

6.34. The impact of noise and vibration can have a major effect on amenity and health and can severely affect people's quality of life. Everyday domestic activities can generate noise, e.g. communal entrances and roof terraces. Sufficient sound insulation must therefore be provided between dwellings to prevent the transmission of noise between them and mitigating impact on neighbours. A condition would ensure that details of enhanced sound insulation for the floor/ceiling/wall structures between separating different types of rooms/ uses in adjoining dwellings would be required prior to occupation. In addition, details of the sound insulation to the commercial part (ground floor) would be required to demonstrate that measures to contain commercial noise within the commercial premises, and to achieve the 'Good' criteria of BS8233:2014 within the adjacent dwellings, would be required prior to occupation (conditions 8, 9 and 20).

6.35. **Design**

6.36. The proposed development is for a four storey building with the top floor set back at the front and side. This reduces the mass and visual impact of the building along Hampshire Street. The façade is pushed back in bays to create framed terraces along the elevation making the building lighter, more layered and less imposing on the street. Following officer comments, the scheme was significantly revised to omit the stepped bays across the front elevation. The elimination of the stepped façade would allow for a better relationship between the structural frame and the internal structure, with the outer frame and the recessed elevation with inset balconies now following a similar rhythm across the building.

6.37. While higher than its immediate adjoining neighbours, the proposed development would be lower than the ridge height of 23-25 Hampshire Street which is approximately 8m to the north east. To the north-west, on the opposite side of Hampshire Street there are two four-storey Council blocks (Long Meadows and Carters Close). To the east, there is a 5 storey block at 221 Camden Road while to the south there are five-storey houses at 4-6 Torriano Avenue. The scale and bulk of the proposed building would be in keeping with other buildings in the area and would be appropriate.

6.38. The proposed block would be finished in high quality materials including Velour brick, black powder coated aluminium framed windows, limestone cladding around the residential entrance and black cast iron railings. The proposed use of brick and metal balustrades is acceptable. A darker brick in the façade would define the edges and breaks of the bays to create a semi regular grid across the façade. The

design includes a lighter coloured brick set back into the building façade accentuating the frame of the darker brick on the surface, giving a visual impression that the recesses have been carved out of the mass, particularly on the stepped back top floor. The lighter brick would highlight and reinforce the grid and framing around the fenestration and terraces. The deeper recesses in the façade would be solely for the residential entrance and residential terraces and would serve to clearly delineate the residential from the commercial. The ground floor commercial units would be flush with the light brick surround. The proposed lighter coloured brick on the top floor would help this element appear more recessive. The details of the brick and facing materials would be secured by condition (conditions 3 and 4).

- 6.39. The proposed development with commercial units at ground floor would include an active frontage across the full width of the ground floor. The limestone frame of the residential entrance would act as a focal point in the building, giving an appropriate sense of grandeur to the entrance and distinguishing it from the entrances to the commercial units.
- 6.40. Acceptable details of privacy screens between the upper floor roof terraces have been provided. Privacy screens to a height of around 1.8m would provide adequate levels of amenity to residents. A condition would be included to ensure the screens were erected before the units were occupied (condition 5).
- 6.41. Overall the building would be a high quality piece of architecture with a carefully considered residential layout.
- 6.42. **Heritage**
- 6.43. The existing structures are neither statutorily or locally listed and are not considered to be of any architectural or heritage value. Additionally, the Site does not lie within a Conservation Area.
- 6.44. However, the Camden Square Conservation Area is approximately 15 metres to the east of the site and there are two Grade II* listed buildings with which there may be inter-visibility - the Church of St. Luke with St. Paul, located approximately 140 metres to its west and the Clock Tower, Caledonian Park, located approximately 300 metres to its east. There are also four non-designated heritage assets (locally listed buildings) located 40 metres to the north-west of the Site (9-15 (odd) Torriano Avenue).
- 6.45. In accordance with Paragraph 128 of the National Planning Policy Framework (NPPF), a heritage statement has been submitted which describes the significance of any heritage assets affected and assesses if there would be any impact on the significance of the heritage assets.

6.46. Camden Square Conservation Area

6.47. The proposed development consists of 4 storeys only and so there would be extremely limited views of the rear of the proposed building, between some residences to the west of Camden Road and a small section of the Camden Square CA to the east of the Camden Road. Due to this extremely low level of inter-visibility, the site does not contribute to the conservation area's significance or setting. There would be no material harm to the Camden Square CA resulting from the proposed development.

6.48. Church of St. Luke with St. Paul (approximately 140m to the west of the site)

6.49. This mid-nineteenth century church is Grade II* listed and was designed by the architect Basil Champneys. The building was financed by the Midland Railway, as it replaced the original church of St. Luke's on the Euston Road, which was demolished by compulsory clearance in order to lay new railway lines. The heritage significance of this building lies in its architectural, historical and communal value, with the survival of a large number of original architectural features.

6.50. The site falls within the extended setting of the church as far as the church tower is visible from the upper storeys of the proposed development. However the site is not visible from the main body of the church. Due to the low level of inter-visibility between the church and the Site, the lack of experience of the Church of St. Luke with St. Paul with the site and the fact that the extended setting of the church has significantly altered since its construction, with large numbers of modern residences now within its extended setting, the site makes an extremely limited contribution to the aesthetic value of the church only. It is concluded, there would be no harm to the Church of St. Luke with St. Paul resulting from the proposed development

6.51. Clock Tower, Caledonian Park (approximately 300m to the east of the site)

6.52. The Grade II* listed clock tower sits in the centre of the former Caledonian cattle-market. The tower bell provided notice of the opening and closing of the market. It was constructed in 1855 and is by the architect John Bunstone Bunning (The Architect and Surveyor to the City of London). The Caledonian Clock Tower has survived largely unchanged since its construction, original to the architect's design. Its existence serves as a significant reminder of the previous activity carried out in the area and provides a reminder of the tower's own role within this scenario.

6.53. Its immediate setting is Caledonian Park, which comprises semi-mature woodland areas; short and long grass meadows; a community orchard and gardens; a children's play area, open grass space and a tarmac ball court. Its extended setting (historically the location for the cattle market) now consists of a large number of modern residential developments as well as open space for public gardens and sports facilities. Given the extended setting of the clock tower has been significantly altered since its construction and the significant distance between the site and the clock tower, the proposed development would not impact on the setting or significance of the clock tower.

- 6.54. 9-15 (odd) Torriano Avenue (approximately 40m to the north west of the site)
- 6.55. The two pairs of villas are locally listed (non-designated heritage assets) and face towards Torriano Avenue with No. 9 located on the corner of the Torriano Avenue and Busby Place road junction. They are the last remaining buildings of a longer terrace, which previously ran nearly the full length of the western side of Torriano Avenue. The heritage significance of these buildings lies in the architectural and historical special interest of their fabric and form, being characteristic of their period and of their intended status. The extended setting of these residences has changed considerably and they are now in proximity to a number of modern developments, including the Torriano Housing Estate which they face. There would be no harm to 9-15 Torriano Avenue resulting from the proposed development.
- 6.56. Conclusion
- 6.57. The Heritage Statement assesses there would be no harm to any of the heritage assets resulting from the proposed development, and officers agree.
- 6.58. **Amenity**
- 6.59. Overlooking
- 6.60. The primary living spaces (living room / diner and kitchen) would be at the front of the property. The nearest residential buildings at the front of the site are two Council owned blocks: Long Meadows and Carters Close. There are perpendicular to the proposed development and are between 25m to 30m to the north-west.
- 6.61. At the rear of the development, the rear elevation of the nearest properties (209-215 Camden Road) are approximately 27m from the proposed development. Given the significant distance between the proposed development and neighbouring windows at the front and rear, there would be minimal increased overlooking.
- 6.62. An objector has raised concerns regarding overlooking of gardens from the walkways. It is acknowledged that there would be additional overlooking of the gardens of 209 to 215 Camden Road from the walkways. However the most affected part of these gardens would be that part which is furthest from the house. CPG6 Amenity states that the part of a garden nearest to the house is the most sensitive to overlooking. Moreover, in built up areas it is not unusual for there to be some overlooking of rear gardens. Given this, the additional overlooking of the rear gardens would not be considered harmful.
- 6.63. Daylight and sunlight
- 6.64. A daylight and sunlight report has been submitted which assesses the impact of the development on the light receivable by the neighbouring properties 205, 209, 211, 213, 215 & 217 to 225 Camden Road, 2, 4, 6 & the rear of 6 Torriano Avenue, 1 to 16 Carters Close, 1 to 16 Long Meadow and 3 & 23 to 25 Hampshire Street.
- 6.65. BRE guidance states that if the development subtend (the angle to the horizontal subtended by the new development at the level of the centre of the lowest window

of the existing buildings) is less than 25 degrees for the whole of the development then it is unlikely to have a substantial effect on the diffuse skylight enjoyed by an existing building. The daylight and sunlight report confirms that all the surrounding properties pass the BRE 25 degree test.

- 6.66. BRE states if the Vertical Sky Component (VSC) is greater than 27% then enough skylight should still be reaching the window. Any reduction below this level should be kept a minimum. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight.
- 6.67. All main habitable room windows of neighbouring properties pass the Vertical Sky Component (VSC) test with the exception of isolated windows at 4 Torriano Avenue and 1 to 16 Carters Close. The results from these windows are shown in the table below.

	Vertical Sky Component			
	Before	After	Loss	Ratio
1 to 16 Carters Close				
Window 130	3.00%	2.10%	0.90%	0.70%
Window 152	0.70%	0.40%	0.30%	0.57%
Window 155	1.10%	0.70%	0.40%	0.64%
4 Torriano Avenue				
Window 85	17.80%	14%	3.80%	0.79%
Window 90	18.20%	14.40%	3.80%	0.79%

- 6.68. The windows identified above would have a VSC which is less than 27% and the reduction would be greater than 0.8 times its former value (i.e. the reduction would be greater than 20%). However, it is noted that these windows are hampered by existing overhanging balconies and/or projecting wings on one or both sides. The BRE guide acknowledges that windows with existing obstructions typically receive less daylight as the balcony/wing cuts out light from the top and side part of the sky and that even a modest obstruction opposite may result in a large relative impact on the VSC. The guide goes on to explain that an additional calculation may be carried out assuming that the existing obstructions do not exist. If the windows meet the targets on this basis then this confirms that it is the existing obstruction that prevents the targets from being met as opposed to an unreasonable level of obstruction caused by the development. The windows pass the Vertical Sky Component test without the existing obstructions in place (that is to say the reduction in VSC would not be greater than 20%) The proposed development therefore satisfies the BRE daylight requirements.
- 6.69. In addition, the daylight and sunlight report confirms that all neighbouring windows would pass the BRE sunlight to windows test and the development would satisfy the BRE overshadowing to 'gardens and open spaces' requirements.
- 6.70. Noise

- 6.71. One of the objectors has raised a concern regarding noise from the use of the walkways and the lift. The lift would be enclosed within the building and the part of the walkway directly accessed by the lift would be enclosed by doors. Therefore the use of the lift would be unlikely to be audible from neighbouring properties. The use of the walkways from residents or their guests could generate noise. However the comings and goings from 16 flats would be unlikely to generate unreasonable levels of noise and such noise would be no greater than that which could come from neighbouring occupiers using their gardens.
- 6.72. **Transport**
- 6.73. Car Parking
- 6.74. The proposal seeks to demolish the existing photographic studio and erect a four storey building consisting of 16 residential units and 334sqm of commercial floor space. Policy T2 of the new Camden Local Plan states that the Council seeks to ensure that new developments in the borough are car-free. The Transport Statement acknowledges that there will be no off-street car parking spaces and that the new dwellings will be car free. This is welcomed by the council and the car free development would be secured via a legal agreement. This would allow the proposal to be in accordance with policy T2 of the new Local Plan.
- 6.75. Cycle Parking
- 6.76. Policy T1 of the new 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 development is required to provide 26 long stay cycle parking spaces for the residential units and 4 long stay cycle parking spaces for the commercial units. There is no requirement for short stay cycle parking. The development would provide 30 cycle parking spaces in a cycle store on the ground floor. The provision meets the policy requirement. The layout of the cycle store accords with CPG7. The provision of the cycle store would be secured by condition (condition 11).
- 6.77. Managing the impacts of construction on the surrounding highway network
- 6.78. Policy A1 of the Camden Local Plan states 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 (including any demolition works). 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 during construction (e.g. noise, vibration, air quality). 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. Servicing during construction is likely to be difficult. A CMP would therefore be secured as a Section 106 planning obligation if planning permission is granted.

- 6.79. A CMP Implementation Support Contribution of £3,240 would also need to be secured as a Section 106 planning obligation if planning permission is granted.
- 6.80. Highway and Public Realm Improvements directly adjacent to the site
- 6.81. The footway adjacent to the site, as it currently stands, would not be able to accommodate a wheelchair user (or a pushchair). With the proposed introduction of the residential units and the commercial units, improvements required in order to make the site accessible to all potential users. The only other options for wheelchair / pushchair users would be to go down the opposite side of the footway and cross the road to enter the property, which is unacceptable.
- 6.82. A highways contribution would be required for the widening of the footway along the entire south eastern side of Hampshire Street. There would be no additional highways estimate to repair the footway/carriageway as these works would be covered by this contribution.
- 6.83. The highways contribution would be spent on improvements to the public highway directly adjacent and in the vicinity of the site, which are related to the development, as described above.
- 6.84. The highways estimate for the widening of the footway is £18,058.18. This would be secured as a Section 106 planning obligation if planning permission is granted.
- 6.85. **Contaminated Land**
- 6.86. The former uses of the site and surrounding land have the potential to cause ground contamination. In order to protect the health and well-being of local residents, workers and visitors, the Council expects proposals for the redevelopment of sites that have the potential to be contaminated, or are located in proximity to such sites to take appropriate remedial action to the Council's satisfaction. Details of a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas would be required before the development commences. Subsequently, a scheme of remediation measures may be required. These measures would be secured by condition (condition 10).
- 6.87. **Energy and sustainability**
- 6.88. Major developments are required to follow the hierarchy of energy efficiency, decentralised energy and renewable energy technologies set out in the London Plan (2016) Policy 5.2 to target:
- a) zero carbon for the residential part of the development, with a minimum of 35% reduction in regulated CO₂ emissions below the maximum threshold allowed under Part L 2013 achieved on site and any remainder offset.
 - b) maximum feasible CO₂ reduction beyond Part L 2013 in the non-residential areas. GLA guidance on preparing energy assessments and CPG3 should be followed. In particular, improvements should be sought on the minimum building fabric targets set in Part L of the building regulations

- 6.89. Policy CC1 requires all developments to achieve a 20% reduction in CO2 emissions through renewable technologies (the 3rd stage of the energy hierarchy) wherever feasible, and this should be demonstrated through the energy statement.
- 6.90. Where the London Plan carbon reduction target cannot be met on-site, we may accept the provision of measures elsewhere in the borough or a financial contribution (charged at £60/tonne CO2/ yr over a 30 year period), which will be used to secure the delivery of carbon reduction measures elsewhere in the borough.
- 6.91. Commercial part (non-residential area)
- 6.92. The submitted Energy Assessment demonstrates that the proposed specification achieves a reduction of 35.11% in on-site regulated emissions, exceeding the target of 35% beyond Building Regulations requirements. This has been achieved by following the GLA's Energy Hierarchy. The 'Be Clean' measures include ASHP heating and cooling to offices; efficient lighting in all areas with absence detection and photocell dimming; and mechanical ventilation with heat recovery
- 6.93. Residential part
- 6.94. The 'Be lean' measures specified include improved building fabric and high specification systems. 'Be clean' measures have not been implemented. There are currently no energy networks in the area so decentralised energy would not be feasible. There are no future networks proposed so future proofing is not required. The use of CHP was not deemed to be appropriate for this project. The remaining carbon dioxide savings have been achieved through the inclusion of renewable technologies 'Be green' (PV cells to the roof). The total reduction in CO2 emissions for the new build residential would be 35.01%. The shortfall for the new build residential is 64.99% and equates to 12.26 tonnes of CO2.
- 6.95. Carbon Offsetting
- 6.96. As the London Plan carbon reduction target in policy 5.2 would not be met onsite, the Council will require a s106 financial contribution to Camden's carbon offset fund which will be used to secure the delivery of carbon reduction measures elsewhere, in connection with projects identified in the Council's Environmental Sustainability Plan 'Green Action for Change'. The financial contribution required would be £22,068 and this would be secured by legal agreement.
- 6.97. Renewable Energy
- 6.98. The Council expects developments of five or more dwellings to achieve a 20% reduction in carbon dioxide emissions from on-site renewable energy generation (which can include sources of site related decentralised renewable energy), unless it can be demonstrated that such provision is not feasible (Policy CC1). This is in line with stage three of the energy hierarchy 'Be green'. The 20% reduction should be calculated from the regulated CO2 emissions of the development after all proposed energy efficiency measures and any CO2 reduction from non-renewable decentralised energy have been incorporated.

6.99. A 13.64kWp solar PV array would serving the domestic parts, with a further 3.4kWp serving the non-domestic space. Details of the solar PV would be secured through condition (condition 12). Air Source Heat Pumps would be used for heating and cooling in the proposed commercial units. This would equate to a 30% reduction through renewables. The energy reductions would be secured through an energy efficiency and renewable energy plan planning obligation in the legal agreement.

6.100. Cooling and Overheating

6.101. The applicant has submitted a 'domestic overheating assessment' report. No active cooling is proposed in the residential scheme. The following passive design measures have been implemented in order to reduce overheating risk:

- Solar control glazing to limit solar gain
- Overhangs/balconies to provide shading to glazed facades
- Provision of suitably sized natural ventilation openings in all occupied spaces
- The ability to open up apartments internally and achieve cross-ventilation across the floor plan (also dual aspect)

6.102. The passive measures are considered acceptable and would accord with policy CC2, and would be secured by condition (condition 25).

6.103. Sustainability

6.104. The development will target Green Guide ratings of A+ to D for major elements (roofs, external walls, internal walls, upper and ground floors and windows). Wherever possible, products would be chosen which comply with additional voluntary industry standards for responsible sourcing, including FSC Chain of Custody and BES 6001:2008 Framework Standard for Responsible Sourcing of Construction Products certifications where applicable. A Site Waste Management Plan (SWMP) would be created and would incorporate a target to source at least 15-20% of the total value of materials used during the construction from recycled or reused sources. The applicant would also establish a 'take back' scheme from suppliers. These sustainability measures would be secured through S106 sustainability plan.

6.105. Surface water run off

6.106. The Council seeks to ensure that development does not increase flood risk and reduces the risk of flooding where possible. The Council requires development to utilise Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy to achieve a greenfield run-off rate where feasible (policy CC3). The London Plan (policy 5.13) requires developments to achieve greenfield run-off rates wherever feasible (and as a minimum to achieve a 50% reduction in run off rates) and to ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy.

6.107. The developer is proposing a 68% decrease in runoff rates from the site. The development would achieve a runoff rate of 6.65 l/s and so would be very close

to achieving Greenfield runoff rates (5.61 l/s). Given the minor shortfall and that a sizeable reduction in discharge rates would be achieved this is considered acceptable. The development would utilise an intensive green roof SuDS option, which will be controlled by restrictions in downpipes from the rooftops and balconies.

6.108. Green infrastructure and biodiversity

6.109. Bird and bat boxes would be incorporated into the design. Details of these would be secured by condition. The development would also include an intensive green roof. The nature conservation officer requires a bat survey to be submitted prior to any demolition to determine the presence or absence of roosting or foraging bats at this site. This would be secured by condition (condition 22). CPG 3 (Sustainability) addresses biodiversity and states that measures to protect nature conservation during the construction include phase timing of development to avoid disturbance to species such as birds in the breeding season. A condition to ensure site clearance and demolition takes place outside of bird nesting season would therefore be included on the decision (condition 23).

6.110. **Trees**

6.111. An Arboricultural Report has been submitted. While there are no trees in the site itself, there a number of trees in the neighbouring garden to the south and east of the site. All trees would be retained.

6.112. There is a semi-mature Ash tree (T5), assessed to be Category B, growing near to the southern corner of the existing building. It is highly unlikely that any roots will be present immediately adjacent to the building foundations as they would be more likely to proliferate in the surrounding residential gardens. It is accepted the proposed development would not pose any detrimental impact upon T5.

6.113. Four trees (all assessed as Category B) are growing to the eastern corner of the existing building. These consist of a False Acacia (T1), Holly (T2), Apple (T3) and Tree of Heaven (T4). None of the root protection areas nor the canopies of these trees would be close enough to the building to affect the proposed development.

6.114. As the new development is to be constructed within the footprint of the existing building, and no tree roots are likely to be present immediately adjacent to the existing foundations, no impacts upon any tree have been identified.

6.115. **Planning obligations**

6.116. Open space

6.117. The residential development will lead to an increase demand for and use of public open spaces. The nearest public open spaces to the site within Camden are Canteloves Gardens (approximately 220m from the site) and Islip Street playground (approximately 350m from the site).

6.118. Where developments cannot realistically provide sufficient open space the Council may accept a financial contribution in lieu of direct provision. The financial contribution is based on the:

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

6.119. The level of the financial contribution would be calculated on the basis of the costs and requirements set out in the table below taken from CPG6 and CPG8.

	Capital cost	Maintenance	Design and Admin	Total contribution
Self-contained homes in Use Class C3				
One bedroom home	£385	£386	£46	£817
Two bedroom home	£663	£561	£80	£1,304
Three bedroom home	£1,326	£832	£159	£2,317

6.120. As the development would provide 6 x 1-bed, 5 x 2-bed, and 5 x 3-bed, the open space contribution would be £23,007 (6 x £817 + 5 x £1,304 + 5 x £2,317). This would be secured by legal agreement.

6.121. The independent viability review confirms that the scheme would generate a surplus of £40,000. Planning obligations are an important tool in managing the impacts of development. As the development would result in 16 new flats, an open space contribution and a highways contribution (to allow the widening of the pavement adjacent to the development) are necessary to mitigate the direct impacts of the development. The Council would also seek a deferred affordable housing contribution as changes to viability are likely between the grant of planning permission and completion of the development. The deferred affordable housing contribution would be determined by a further viability appraisal undertaken on an open book basis at an agreed point after approval of the development but before the scheme is fully occupied.

6.122. Mayor of London's Crossrail CIL and Camden's CIL

6.123. The proposal would be liable for both the Mayor of London's CIL and Camden's CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. The Mayoral CIL rate in Camden is £50 per sqm and Camden's CIL is £250 per sqm (Zone B residential). The CIL would be calculated on the uplift in floorspace (655sqm). Based on the Mayor's CIL and Camden's CIL charging schedules and the information given on the plans the charge is likely to be £32,750 (655sqm x £50) for Mayoral CIL and £163,750 (655sqm x £250) for Camden's CIL. The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

7. CONCLUSION

- 7.1. The proposal would provide 16 self-contained flats and would contribute towards the priority land-use of the Local Plan, in accordance with Policy H1. No affordable housing is proposed. The viability report has been independently reviewed and it is accepted that the scheme only generates a surplus of £40,000. Therefore, a deferred affordable housing contribution would be secure via legal agreement.
- 7.2. There would be a loss of 315sqm of light industrial floorspace (Class B1c). The provision of affordable workspace has been fully explored and it is accepted that affordable workspace cannot viably be provided. Therefore, planning obligations are recommended in order to maximise the opportunities to local residents and businesses afforded by the construction phase of the development and to ensure the units are marketed locally through local business channels.
- 7.3. The scale and bulk of the proposed building would be in keeping with other buildings in the area and would be finished in high quality materials. Overall the building would be a high quality piece of architecture with a carefully considered residential layout. There would be minimal effect on neighbouring amenity from the proposed development.
- 7.4. Planning Permission is recommended subject to conditions and a S106 Legal Agreement covering the following Heads of Terms:-
 - Deferred Housing Contribution Assessment (maximum payment in lieu of £487,212.57)
 - Marketing strategy (to ensure the units are marketed locally through local business channels)
 - Construction Management Plan (CMP)
 - CMP implementation support contribution (£3,240)
 - Highways contribution £18,058
 - Open space contribution £23,007
 - Sustainability Plan
 - Energy efficiency plan
 - Carbon offset contribution £22,068
 - Employment and Training
 - Local procurement
 - Car free
 - Level plans

8. LEGAL COMMENTS

- 8.1. Members are referred to the note from the Legal Division at the start of the Agenda.