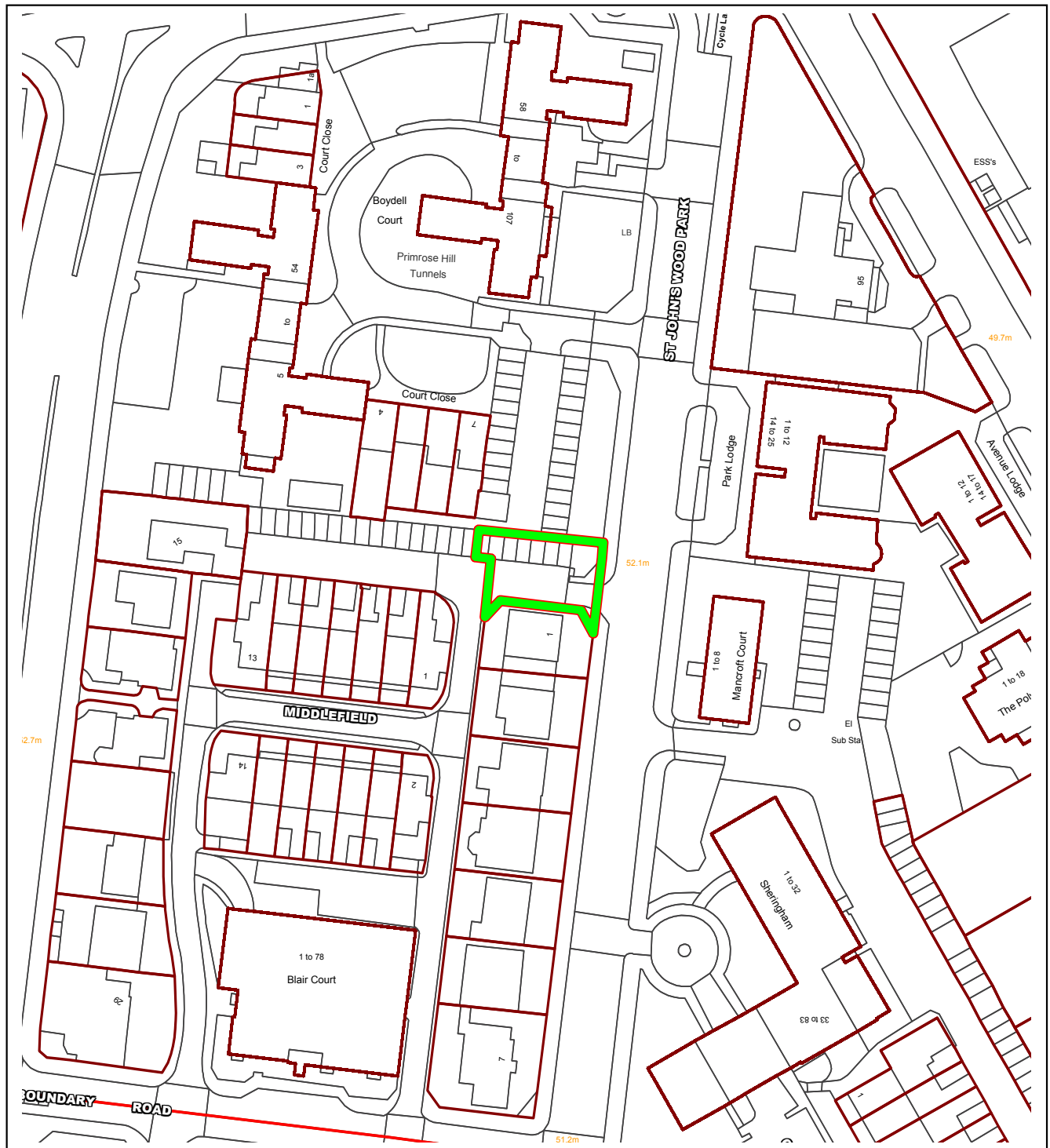


2018/4763/P - Land adj. 1 St John's Wood Park, NW8 6QS



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2018/4723/P – Land Adj. 1 St John’s Wood Park



1) Side/rear view looking north along Middlefield



2) Rear of 1 St John’s Wood Park, taken from Middlefield



3) Looking north-east from within the site



4) Looking south-west down Middlefield from within the site



5) Looking east from within the site towards St John's Wood Park



6) Looking north-west towards Boydell Court from within the site



7) Looking towards the front elevation of the site from St John's Wood Park



8) Looking south west from St John's Wood Park, no.1 St John's Wood Park on the far right



9) Looking north towards the site from further south along St John's Wood Park



10) Visual of front/side looking south



11) Visual of front elevation/entrance



12) Visual of front/side looking north

Delegated Report		Analysis sheet	Expiry Date:	07/12/2018
(Members Briefing)		N/A	Consultation Expiry Date:	25/02/2019
Officer			Application Number(s)	
Ben Farrant			2018/4763/P	
Application Address			Drawing Numbers	
Land adj. to 1 St John's Wood Park London NW8 6QS			Please refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Redevelopment of former garage site to form 6 storey (plus basement) residential block containing 9no. units (3 x 4 bed duplexes, 3 x 3 bed flats, 3 x 2 bed flats) (Use Class C3), with associated amenity space, cycle store, plant, and waste storage.				
Recommendation(s):		Grant conditional planning permission, subject to S106 agreement		
Application Type:		Full planning application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	0	No. of objections	15
Summary of consultation responses:	<p>Site notices were displayed on 17/10/2018 (consultation end date 10/11/2019); further site notices were displayed following the receipt of amended plans on 01/02/2019 (consultation end date 25/02/2019).</p> <p>15 objections were received from the following addresses: Flat 96, Boydell Court; Flat 5, 65 Eton Avenue; Flats 1, 2, 22, 23 (+2 unspecified flats), Park Lodge; 1, 3, 7 Middlefield; 5, 8 Mancroft Court; 1 & 2 St John's Wood Park.</p> <p>The reasons for objection are summarised below, with the Officer's response in italics below each concern:</p> <ol style="list-style-type: none"> 1. An affordable housing unit on site is required <p><i>9 units are proposed falling below the threshold for on-site affordable housing provision (on a unit basis); however, the proposed GIA is 1,275 sq. m, equating to greater than 100sq. m per flat, which could be considered to provide oversized accommodation in order to avoid on site provision (i.e. the site has a capacity for 10 units but less units that are oversized are being proposed). The applicant has agreed to the on-site provision of 2 x 2 bed intermediate rental units in the first instance; however, given the constraints of the site (outlined in section 4), it is likely to be difficult to find a registered provider for just two units. If a registered provider is unwilling to take on the units, officers will assess (through a review mechanism in the section 106) whether on-site provision is practical. Following this, the applicant would be required to demonstrate off-site provision within the Borough. In the event an off-site contribution is not possible, in agreement with officers, a payment in lieu (PIL) will be considered appropriate in accordance with CPG Interim Housing. The contribution offered (£845,000) has been independently assessed by BPS, and is considered to be the maximum viable. Therefore, a S106 agreement has been secured agreeing the on-site provision of 2 x 2 bed units in the first instance, followed by a review of off-site options, and an £845,000 PIL if this is not achievable, with a Deferred Affordable Housing Contribution (DAHC) in place in either instance to secure a further financial contribution should the scheme be more profitable than initially anticipated. See section 4 for full details.</i></p> 2. Impact on daylight/sunlight, specifically harm to no.1 Middlefield <p><i>The daylight/sunlight report demonstrates full compliance with BRE guidelines in all regards with the exception of neighbouring windows at no.1 St John's Wood Park, 1 Middlefield and 4 Middlefield. These</i></p> 			

have all been assessed as secondary windows to the rooms, and the proposal would not result in an unduly harmful impact on these properties. The daylight/sunlight report submitted alongside the application is considered to be acceptable and demonstrates compliance with BRE guidelines. See section 7 for full details.

3. Loss of outlook (including green views) from neighbouring residences

The proposal is a minimum of 14m from on-looking neighbouring windows, and given the siting of the properties in this area, any views from Middlefield or Boydell Court/Court Close would be at an oblique angle. Whilst the proposal would be sited directly to the front of the more northerly properties within Mancroft Court, given the separation distance of 30m, this is not considered to result in undue harm to their outlook.

4. Design does not account for context

The design has been formed considering the surrounding context, and was assessed as acceptable during examination at DRP (dated 14/09/2018). See section 6 for full details.

5. Design degrades the area

The design is considered to be acceptable and would not serve to 'degrade the area'. See section 6 for full details.

6. Overly large scale

The scale has been carefully considered, and is acceptable given the context. See section 6 for full details.

7. Over-development of the site

Whilst the proposal is to increase the density and scale of the site, it is within the density guidelines set out within the draft New London Plan 2017 Topic Paper on Housing Density. It is not considered to represent over-development, forming a high quality design whilst maintaining a good standard of accommodation for future occupiers and being acceptable in terms of neighbouring amenity. See section 3 for full details.

8. Access to Middlefield will be blocked

Pedestrian access to Middlefield would be maintained as a result of the works.

9. Loss of parking

Any subsequent approval would be car-free, secured by a S106 restricting parking permits for future occupiers. The loss of the former car park is encouraged in accordance with policy T1 of the Local Plan, which seeks to restrict parking and encourage more sustainable methods of transport.

10. Planting shown on visualisations is unachievable

The plans have been considered acceptable by the Council's Trees and Landscaping Team; further details shall be required by condition subject to approval.

11. Basement is inappropriate to the character of the area

The principle of basement development has been accepted previously on this site (Ref: 2017/0851/P) and is considered appropriate and fully policy compliant in this instance. See section 9 for full details.

12. Land stability, soil typology and flood issues as a result of the basement

The land stability, soil typology and flood issues have been independently assessed as acceptable in compliance with policy A5 of the Local Plan by Campbell Reith (Camden's BIA auditor). See section 9 for full details.

13. Quality of basement accommodation is unacceptable

The quality of accommodation throughout the proposal has been considered acceptable and complies with national standards. The basement accommodates ancillary See section 5 for full details.

14. Requested that Middlefield is not used for construction traffic

Any subsequent approval would be subject to a Construction Management Plan (CMP) via S106 agreement. This would outline the proposed works and appropriate routes for construction vehicles during works.

15. Disturbance during construction

The CMP will outline methods for reducing the impacts of construction works (noise/vibration/dust etc.).

16. Right of access for Middlefield residents remains over the site

The covenant allowing a right of access across the site is not a material consideration in the determination of this planning application; in any event, pedestrian access has been maintained via an access way (with lockable gates) to the side of the property.

17. Decrease in nearby property values

This is not a material consideration in the determination of a planning application.

	18. Likely damage to neighbouring properties during construction
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	<i>This is not a material consideration in the determination of a planning application (i.e. it is a civil matter); this is a legal matter covered by separate legislation.</i>
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Site Description

The subject site is a former garage site on the western side of St John's Wood Park. It lies towards the northern end of St John's Wood Park, 300m from Swiss Cottage Underground Station. It is also close to South Hampstead Overground Station and benefits from an excellent public transport accessibility level (PTAL) rating of 6a.

The site is within an established residential area. There is a variation in building heights with primarily two-storey properties to the south, three-storeys to the west and taller blocks located across the rest of the area ranging from four to twelve storeys. The topography of the area is relatively flat, with gated pedestrian and vehicular access historically available through the site to Middlefield to the rear (west), although this access is currently closed off with site hoardings.

The Elsworthy Road, St John's Wood and Alexandra Road conservation areas are located to the east, south and west respectively, although all are more than 200m away. Further to the north of Swiss Cottage are the Fitzjohns and Netherhall, Belsize Road, and South Hampstead conservation areas.

There are no listed buildings near the site. Further afield to the north, Regency Lodge and Swiss Cottage Library are both Grade II listed buildings. To the south is a series of listed villas along Queens Grove. None of these are close enough to be impacted on by development proposals. Although Swiss Cottage Library can be seen from the front of the site looking to the north, it is more than 150m away and the site does not fall within or affect its setting.

The site is 150m north of the Borough's boundary with Westminster.

Relevant Planning History

The site previously contained four single garages, but was cleared within the past three years and currently forms a vacant site, set largely to concrete, which is fenced off from St John's Wood Park and Middlefield.

2017/0851/P – Erection of 3 storey plus basement, 5 bedroom single dwellinghouse (Class C3), including new boundary walls following demolition of 6 existing garages on land adjacent 1 St John's Wood Park (as an amendment to planning permission ref 2015/4800/P dated 11/04/2016 to allow an enlargement of the approved basement and sub-basement and an increased width of 0.3m to the whole building) – **Granted subject to S106 (draft signed off, S106 not yet finalised)**

2015/4800/P – Erection of 3 storey plus basement, 5 x bedroom single dwellinghouse, including new boundary walls following demolition of 6 x existing garages on land adjacent to 1 St. John's Wood Park (Class C3) – **Granted subject to S106 11/04/2016 (now expired)**

2013/6731/P – Erection of 3 storey, 5 x bedroom single dwellinghouse, including new boundary walls following demolition of 6 x existing garages on land adjacent to 1 St. John's Wood Park (Class C3) – **Granted subject to S106 02/09/2014**

Camden Design Review Panel (DRP) - comments (from 14 September 2018)

As part of the evolution of this scheme, a similar proposal on this site was presented to the Camden Design Review Panel as part of the pre-application process. The comments received in response are as follows:

“The panel supports the design approach to the site, and feels that with further design

development in specific areas, the project could set a valuable precedent for a residential intensification in similar urban settings. The height of the block is appropriate to the local context, and the plans, materials and detailing are well considered. The most obvious design for the roof would be a mansard, but the panel support the design team in their ambition to develop a more imaginative solution. Whilst winter gardens will provide adequate amenity space, the panel suggests that the inclusion of some additional external amenity space would be desirable. Small balconies could be considered, and might enliven the façade by introducing decorative elements. The façade design is well-developed where it faces the street, but further work is needed to refine both the rear elevation of the block, which faces actively used space, and the flank walls. The depth of the plan, extending to the rear boundary, means the flank wall appears overly wide and visually overbearing in relation to the neighbouring two-storey houses to the south. A reduction in depth of the plan, and introduction of some form of articulation, decoration or fenestration for the flank wall should be considered, as this wall will remain visible if development does not take place on the adjoining site to the south.”

The proposal was amended, taking into account the above comments. Officers consider that the current proposal has sufficiently addressed the DRP comments. This is discussed further in the Design section of this report.

Relevant policies

National Planning Policy Framework 2019

NPPG

The London Plan 2016 and Draft New London Plan 2017

Mayor's Supplementary Planning Guidance

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
- C5 Safety and security
- C6 Access for all
- E1 Economic development
- A1 Managing the impact of development
- A3 Biodiversity
- A4 Noise and vibration
- A5 Basements
- D1 Design
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding
- CC4 Air quality
- CC5 Waste
- T1 Prioritising walking, cycling and car-free development
- T2 Parking and car-free development

- T3 Transport infrastructure
- T4 Sustainable movement of goods and materials
- DM1 Delivery and monitoring

Supplementary Planning Policies

Camden Planning Guidance

CPG Interim Housing (2019)
CPG Basements (2018)
CPG Amenity (2018)
CPG Design (2019)
CPG Energy efficiency and adaptation (2019)
CPG Air quality (2019)
CPG Transport (2019)
CPG Developer Contributions (2019)

Assessment

1. The proposal

1.1. This application seeks planning permission for the following works:

- The proposal is for the development of a six-storey (plus basement) residential block containing nine flats (Use Class C3), comprising 3x two-beds, 3x three-beds, and 3x four-beds, with associated amenity space, terraces, balconies, cycle storage, waste storage, and landscaping.
- The proposed building would be set back to the building line of the adjacent row of two-storey properties (with roof accommodation) along St Johns Wood Park, with front and rear landscaping and a front lightwell to basement level.
- The proposed building would present a contemporary take on a mansion block design, finished in buff London Stock Brick with intricate detail, and timber framed large sash windows.
- Installation of plant and enclosure at roof level; due to the level of set-back, would not be immediately visible from the streetscene.
- An existing pedestrian access would remain through the site in the form of an accessway with lockable iron gates at either end (fronting onto St John's Wood Park and Middlefield). This access would also provide access to the secured and covered cycle store.
- The proposed building would have a Gross Internal Area (GIA) of 1,275 sq. m.

2. Land use principles

2.1. Whilst the site is currently cleared, the previous use was as a garage/car parking site (sui-generis); it is noted that the surrounding area is entirely residential in nature.

2.2. The principle of the formation of residential floorspace and nine flats is strongly supported as residential is a priority land use under policy H1 of Camden's Local Plan, subject to other policy considerations (addressed below). It is further acknowledged that a residential land use has previously been established on this site through previous permissions for a single family dwellinghouse. As such, the proposed residential land use is acceptable in principle.

3. Density and infrastructure

3.1 In order to make the most efficient use of land and meet the objectives of policy G1 of Camden's Local Plan, higher density development is encouraged in appropriately accessible locations. The emphasis on higher density development is reinforced by policy H1 (Maximising housing supply), but should at all times be subject to other policies such as those protecting resident and neighbour amenity and securing the height, bulk and massing appropriate to an area in terms of good design.

3.2 The London Plan requires development to optimise housing output for different types of locations taking into account local context, design and transport capacity as well as social infrastructure, open space and play space. The draft London Plan 2017 Topic Paper on Housing Density lays out a density matrix as a guideline. The site in question is considered to be located within a 'Central' area as defined by this document, and has a PTAL of 6a. The average of the number of habitable rooms per unit is within the 3.8-4.6 hr/unit category (40hr/9 flats). Therefore, the matrix guideline for this development is 140-290 units/hectare. The site measures 0.0377 hectares, the proposed development would have a density of 238.7 units per hectare and therefore falls comfortably within the guidelines.

4. Tenure and unit size mix of the proposed housing

4.1 The considerations with regards to tenure and unit size and mix are as follows:

- Policy review
- Affordable housing
 - o On-site provision
 - o Off-site provision
 - o Payment-in-lieu (PIL)
 - o Deferred Affordable Housing Contribution (DAHC)
- Mix of unit sizes
- Design and layout

Policy review

4.2 Policies H1, H4, H6, H7 and CPG Interim Housing are relevant with regards to new housing, including to tenure and unit size.

Affordable housing

4.3 Under London Plan policies 3.10, 3.11 and 3.12, Camden Local Plan policy H4 and CPG Interim Housing, affordable housing provision should be provided in schemes providing additional homes and with a residential uplift over 100sqm GIA. The split of the affordable housing provided should be 60% social rented and 40% intermediate. There is a sliding scale for schemes with an uplift with a capacity of less than 25 homes, starting at 2% for one home and increasing by 2% for each home added to capacity.

4.4 The site is currently vacant, and proposed are nine flats with a GIA of 1,275 sq. m. The percentage affordable housing target would be **26%** (capacity for **13** units (1,275 rounded to the nearest 100sqm) so **13 x 2% = 26%** contribution). As floor area, 26% of 1,275sqm is 331.5sqm.

On-site affordable housing

4.5 Camden's preference is for on-site affordable housing provision in the first instance where there is capacity for 10 or more homes, in compliance with policy H4 of the Local Plan and CPG Interim Housing. When conducting an assessment for the provision of affordable housing, the number of units provided is assessed, as well as the overall floorspace; this assesses the overall housing provision as well as the 'capacity' for housing. Policy H4 of Camden's Local Plan and CPG Interim Housing outline 100 sq. m GIA as equating to capacity for 1 dwelling. This 'capacity' approach has been adopted to prevent developers from forming over-sized units in low density schemes to avoid

contributing towards affordable housing by providing less than ten units on site.

- 4.6 The proposed development has a total GIA of 1,275 sq. m, which could in theory equate to a capacity for 13 dwellings (rounded up). As such, it could be interpreted that the scheme has formed a lower number of overall units (9 units, falling below the 10 unit threshold for on-site provision of affordable housing) at a larger scale in order to prevent contributing towards the affordable housing.
- 4.7 The applicant claims that it is difficult to provide affordable housing on-site due both to the financial viability of the scheme and given the site constraints. In considering the constraints of the site, policy H4 states: *"In considering whether affordable housing provision should be sought, whether provision should be made on site, and the scale and nature of the provision that would be appropriate, the Council will also take into account: j. the character of the development, the site and the area; k. site size and any constraints on developing the site for a mix of housing including market and affordable housing, and the particular types of affordable provision sought; [...] n. the impact of the mix of housing types sought on the efficiency and overall quantum of development; o. the economics and financial viability of the development including any particular costs associated with it, having regard to any distinctive viability characteristics of particular sectors such as build-to-let housing; and p. whether an alternative approach could better meet the objectives of this policy and the Local Plan."*
- 4.8 The practicality of a proposal with a larger number of smaller units were examined at pre-application stages prior to the submission of this application. However, it was considered that a lower number of units was considered appropriate in order to form an acceptable quality of accommodation and to reduce the overall scale of the building. For example, whilst it is noted a large duplex exists at basement and ground floor, a basement level flat alone would not be considered acceptable on the basis of quality of accommodation (access to daylight/sunlight, outlook and aspect).
- 4.9 The site is further constrained with a narrow frontage and overall small footprint, which results in a disproportionately large area being allocated to ancillary space (plant, cycle/waste storage etc.), circulation space, and stair core/lift.
- 4.10 As noted within the density section (see section 3 of this report), the proposed development of 9 units is towards the upper limit of acceptability in accordance with the draft London Plan 2017 Topic Paper on Housing Density.
- 4.11 It is also noted that due to the scale of the units, a higher proportion of 2 and 3 bed units (66% of total units) has been provided. Two and three-bed units are in high demand in accordance with policy H7 of Camden's Local Plan, and increasing the number of units on site would likely detriment this desirable unit mix by introducing smaller (i.e. 1 bed and studio) units.
- 4.12 In any event, Officers requested that the applicant explore on-site provision as a possibility and to demonstrate its feasibility. The developer has demonstrated (through previous designs and indicative floorplans) that on-site provision of social rent (with a separate core) is not achievable given the practical constraints outlined above, and the low number of units required.
- 4.13 As such, it is accepted in accordance with policy H4 of the Local Plan that due to the site specific constraints presented here, that the units are not over-sized and social housing could not be achieved (given the single shared core, and inability to provide a further core given the site constraints). However, Officers consider that the site could potentially accommodate intermediate rent units, which could share a core with the market units.
- 4.14 The applicant submitted a financial viability assessment to review the possibility of intermediate

units, and initially concluded that it would not be possible to provide affordable housing on-site whilst maintaining a reasonable level of return for the developer (rendering the scheme unviable).

4.15 The Council's independent financial viability auditor, BPS, reviewed the submitted viability assessment and suggested that it would be difficult to provide the units required. Nevertheless officers continued discussions with the applicant to work a financially viable proposal to provide two of the units as intermediate rent, assuming a Registered Provider (RP) would be willing to take on the units within a privately managed block. Consequently, the Council and the applicant approached relevant RPs to see whether they would be willing to take on the two units. The RPs indicated that they would either not be able to commit to take on the units, or they failed to respond. The Council's Affordable Housing Officer confirmed that relevant RPs would be unlikely to take on such a small number of units, however one provider may be willing to do so subject to final transfer discussions.

4.16 Given the above assessment, constraints of the site, limited number of affordable housing units offered, evidence from BPS and the Council's Affordable Housing Officer, it is agreed that on site provision in this instance unlikely to be achievable. However, it does remain a possibility and so the applicant's offer of 2x 2-bed intermediate units on-site remains the preferred option in the first instance (subject to finding a RP), and so officers recommend securing this as part of a cascade in the s106 legal agreement. As part of the cascade, officers considered that off-site housing should be explored in the event that an RP fails to take the on-site units.

Off-site provision

4.17 The developer has researched the possibility of providing the affordable housing off-site, and although this has been difficult, the applicant has confirmed that they have the potential to supply two off-site units within close proximity of the site, although these would not be part of a new development. The units are private leasehold properties in an existing Council owned (freehold) block, currently being privately rented. The units, currently uncontrolled in terms of tenancy and rent levels (meaning there conversion to affordable would be a planning gain), could be transferred to an RP and made available for social rent (rather than intermediate rent as with the on-site offer) as within a Council owned block the service charge can be controlled by the Council and would be significantly lower than in the proposed development. This offer is considered to be acceptable, and a RP has shown interest in managing these units. The benefit of this option is the improved tenure and that the units would be ready and available for use at a very early stage. The developer has demonstrated an ability to provide these off-site social-rent units, and initial discussions between the relevant Council teams and the RP have been positive. However, in the event that an RP does not take them on, a payment-in-lieu (PIL) should also be explored as part of the cascade in the legal agreement.

Payment-in-lieu (PIL)

4.17 To be fully compliant with Council policy, the target financial contribution required for a payment in lieu (PIL) of affordable housing provision would be £925,037.62.

4.18 The applicant supplemented the application with a financial viability assessment to demonstrate that it is not possible to contribute this full sum whilst maintaining a viable scheme.

4.19 BPS reviewed the submitted financial viability assessment and disagreed with the residual value/benchmark value. Consequently, the applicant and BPS agreed the existing use value and the applicant recalculated and offered a PIL of £845,000 (91% of the full target). BPS is of the view that the current offer now represents the maximum contribution that the viability position of the scheme can support. Given the conclusion of BPS, Council Officers accept that the proposed PIL is acceptable. This would be secured via S106 legal agreement subject to approval.

4.20 BPS' independent viability review is included as an appendix to this report.

Deferred Affordable Housing Contribution (DAHC)

- 4.21 Policy H4 states: *“Where the development’s contribution to affordable housing falls significantly short of the Council’s targets due to financial viability, and there is a prospect of viability improving prior to completion, the Council will seek a deferred contingent contribution, based on the initial shortfall and an updated assessment of viability when costs and receipts are known as far as possible.”*
- 4.22 An offer of £845,000 has been made, falling short of full policy compliance of £925,037.62 (deficit of £80,037.62). An obligation would therefore be secured, subject to approval, to require a review for a DAHC at a future date, to test whether the scheme can afford to contribute more.
- 4.23 Overall, the scheme’s ability to deliver affordable housing has been tested for viability in line with the Development Plan and it would provide the maximum viable contribution to affordable housing in line with policy. A legal agreement would be secured setting out an affordable housing cascade, securing in the first instance two on-site intermediate rent units. If an RP does not take those units, the legal agreement would secure two off-site social-rent units in the second instance. Finally, if an RP does not take those off-site units, then the legal agreement would secure a PIL of £845,000. This cascade would be secured via legal agreement and agreed by officers. A review mechanism would also be in place to ensure any shortfalls in meeting the affordable housing targets can be reviewed at a later date with an updated assessment of viability when development values are better known.

Mix of unit sizes

- 4.24 Policy H7 of Camden’s Local Plan requires homes of different sizes. The proposed unit mix should broadly accord with the Dwelling Size Priorities Table in this policy, although the Council will be flexible when assessing development.
- 4.25 The proposed unit mix across the whole site is as follows:

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom (or more)
Market	0	3 (33.3%)	3 (33.3%)	3 (33.3%)

- 4.26 Whilst four-bedroom flats are lower priority, the scheme would provide a substantial quantity of two-bedroom and three-bedroom units which are higher priority. The unit mix is considered good and in line with the council’s priority unit sizes.

Design and layout

- 4.27 New development should conform to the minimum space standards set out in Table 3.3 of the London Plan (see below) and CPG Interim Housing. Policy 3.8 of the London Plan further recognises that a genuine choice of homes should be provided in terms of both tenure and size, and provision should also be made for affordable family housing, wheelchair accessible housing, and ensuring all new housing is built to Building Regulations Part M.

Table 3.3 Minimum space standards for new dwellings⁵⁷

Number of bedrooms	Number of bed spaces	Minimum GIA (m2)			Built-in storage (m2)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0

4.28 All of the proposed units meet Camden's floorspace standards both in terms of overall size and room sizes and layouts.

4.29 Part M4(3) Building Regulations require that 10% of units to be wheelchair accessible. 1 unit would be fully wheelchair accessible, which represents 11.1% in accordance with these regulations; this is the first floor three bed four person units (91.5sq. m), and this would be secured by condition.

5. Amenity of proposed housing

5.1. The considerations with regards to the amenity of the proposed housing are as follows:

- Policy review
- Daylight, sunlight and aspect
- Noise and vibration
- External amenity space
- Conclusion

Policy review

5.2. London Plan policies 3.5 and 3.8 and Camden Local Plan policy H6 are relevant with regards to the amenity of proposed housing.

Daylight, sunlight and aspect

5.3. An internal daylight report was submitted which tests the Average Daylight Factor (ADF) of the proposed flats, in line with the BRE guidelines. All habitable rooms would meet the BRE guidelines.

5.4. All 9 units proposed would be dual aspect (east and west facing), and the basement accommodation would form part of a larger duplex, offering bedrooms at basement level, and

living areas at ground floor. The units are therefore considered to be acceptable in terms of outlook.

5.5. Given the location, orientation and aspect of the proposed flats, it is considered that they would receive sufficient levels of light and would benefit from good outlook.

Noise and vibration

5.6. A Noise Assessment has been submitted as part of the application which demonstrates that noise levels within the development are acceptable. A condition would be attached requiring details of noise insulation. Mechanical plant is proposed at roof level, which has been considered within the Noise Assessment. The Council's Noise Officer is satisfied with the proposed plant subject to a condition restricting noise levels.

External amenity space

5.7 Each of the 9 units would benefit from external amenity space in line with the London Plan and CPG Amenity. The ground floor unit would have private amenity space to the rear (18.2sq. m), whilst the top floor duplexes would have 'cut-out' rear corners forming recessed style terraces (measuring 9.6sq. m and 11.8sq. m).

5.8 The remaining first to fourth floors would benefit from rear Juliet style balconies, and front facing 'winter gardens' (measuring 6.9 or 8sq. m). These are amenity areas formed within front facing bays of the property, with large sash windows which can be fully slid down to form a glazed balustrade. This design approach to amenity space was supported at Design Review Panel when presented on 14/09/2018, and is considered to present an acceptable form of amenity space in this instance when considered alongside the Juliet style rear balconies. The proposed provision of amenity space is therefore considered sufficient.

Conclusion

5.9 The proposed flats are considered acceptable in terms of aspect, outlook, noise and amenity space and would provide an acceptable level of amenity to future residents.

6. Design

6.1 The design considerations are as follows:

- Policy review
- Views
- Surrounding townscape
- Site appraisal and opportunity
- Architectural approach /design response
- Scale and massing
- Layout
- Detailed design and materiality
- Landscaping
- Conclusion
- Scale and footprint
- Setting of adjoining heritage assets
- Conclusion

Policy review

6.1 Policies D1 of the Camden Local Plan, London Plan (2017), NPPF (2019), and CPG Design are relevant to design.

Views

6.2 There are no identified views orientated towards, or passing over the site within Camden's Local Plan or the London View Management Framework. Likewise, there are no established views towards the site within the St John's Wood Conservation Area Appraisal. It is not visible from the other surrounding conservation areas of Elsworth Conservation Area (to the east of the application site) or Belsize Park Conservation Area (north).

6.3 The visibility of the site is contained to the surrounding streets, with some localised townscape views from a section of St John's Wood Park and Middlefield to the rear of the site.

Surrounding townscape

6.4 The surrounding residential conservation areas are all of a relatively consistent townscape, but converge on Swiss Cottage, around which the development pattern is much more mixed.

6.5 Outside the boundaries of the nearby conservation areas in both Camden and Westminster, the tendency was to replace the lower density houses with large mansion blocks. To the north of the St John's Wood Conservation Area, around the site, wholesale development in the mid to late 20th century saw a change in character through a reordering of original street layouts and increase in the scale of the built form.

6.6 As a consequence, building heights, scale and massing vary across surrounding context. The historic grain of the wider area consists of estates of 2 storey villas and 3/4 storey terraces, but closer to the busy roads (Adelaide Road, Avenue Road, Finchley Road) there are larger scale residential, civic and commercial blocks between 6-10+ storeys. Indeed, buildings of 2, 4, 6, 10 and 12 storeys all reside comfortably together along St John's Park.

6.7 The primary building typologies around the site include high rise residential apartment blocks, with medium footprints, dating for the mid to late 20th century; low rise residential villas and terraced housings, typically 20th century; and mid-rise civic buildings with medium to large built footprints. Victorian, Edwardian and Interwar mansion and flat blocks are also characteristic of St John's Wood (St John's Wood Conservation Area Audit, Westminster).

Site appraisal and opportunity

6.8 Currently the site makes a negative contribution to the townscape due to the lack of built form. Further, the hoardings detract from the street and make for an unpleasant environment.

6.9 The site is to the north of a row of mock Georgian villas which are of little townscape value and appear low-scale and under-developed relative to other buildings in the area. It is a corner plot and is deeper than these adjacent houses. The northern site boundary abuts the garages of Boydell Court, with twelve storey apartment blocks beyond, and behind the site to the west is a further row of garages on Middlefield. The character of Middlefield on approach to the site is largely that of high back garden walls and gable elevations.

6.10 The nature of this site is distinct from those of the villas to the south, in both its former use as garages, and its physical characteristics in terms of depth, its relationship to Middlefield to the rear, and to Boydell Court to the north.

Architectural approach /design response

6.11 The proposed development is for a single building that occupies much of the vacant development plot, comprising nine flats across seven floors, with a central core.

6.12 The proposal interprets the Victorian mansion block typology, examples of which are seen frequently across Camden and close to the site in the surrounding conservation areas, particularly St John's Wood.

6.13 The late 19th and early 20th century saw large scale redevelopment in St John's Wood, with mansion blocks replacing terraces and Victorian villas. The first apartment blocks were built in St John's Wood along Avenue Road, adjacent to St John's Wood Park. Further early 20th century development saw the introduction of mansion blocks in many parts of St John's Wood. These did not all relate to the existing scale and changed the character of the area. Mansion blocks on the fringes of the conservation area now form an important element of its setting (St. John's Wood Character Appraisal).

6.14 Because of its local and historical relevance, this simple and considered building typology offers good quality accommodation and is deemed to be an appropriate design response to the site (Draft New London Plan, para 3.1.2A).

Scale and massing

6.15 The proposed building is six storeys above ground and comprises a full storey basement, ground plus four storeys with a fifth floor set back roof.

6.16 The site abuts the row of two storey villas to the south, however the adjacency of the villas alone should not preclude the opportunity to provide a building of a different scale on the site. This relationship is prevalent across London. To the north are the twelve storey blocks of Boydell Court. As such there is an opportunity to introduce a building that mediates between the two scales. Indeed, despite their larger scale, many mansion blocks display architectural ingenuity in breaking down the massing of buildings.

6.17 Directly facing the site, and travelling north along St John's Wood Park, are apartment blocks of four storeys. These contribute to the streetscape through providing a sense of enclosure to this wide street. The proposal introduces a street-facing mid-rise building that responds positively to this context.

6.18 Thought has been given to the way the building relates to its near neighbours as well as how it fits within the context of the wider area. Several devices have been employed to break down the massing of the building, particularly at the rear where visual impact and amenity is most sensitive. Here, the massing steps away from the adjacent property. This provides a careful transition from the shallower building depths of the villas to the south to the broader mansion block typology. It ensures that the proposed building is not overbearing and protects the amenity of the neighbouring property.

6.19 The design of the building from all sides displays tact and consideration. The rear façade has been articulated to reduce bulk and the mansard roof form will reduce the perceived height of the building as experienced at street level.

Layout

6.20 The front building line continues the consistent street frontage provided by the neighbouring villas providing a good sense of enclosure. The building is orientated towards the street and presents a strong and legible entrance, with a secondary rear access from Middlefield. A new front garden affords some privacy and the opportunity to introduce landscaping on the site.

6.21 The footprint extends to the rear boundary of the site, making an efficient use of the site. The body of the building takes a regular rectangular form in plan, with a portion cut out to the south west of the site; here it steps in to follow the rear building line of the villas to the south and diverts the mass of the rear of the building away from the neighbouring property.

6.22 Internally, flats are generally arranged as two per floor, with duplex units across basement and ground, and fourth and fifth floors. All flats are dual aspect. There are winter gardens within the street-facing bay windows, and terraces providing amenity space to the rear. There is a small

private garden to the rear, providing external amenity space for the rear ground floor duplex unit. Accommodation is generous, with logical and spacious internal layouts.

6.23 The proposal includes an integrated route between Middlefield and St John's Wood Park to the south of site, adjacent to the building's entrance, which is considered to be a sensitive design. A gate activated by a key fob, restricts public access. The passage also provides secure access to the cycle store.

Detailed design and materiality

6.24 The building has been designed with attention to composition and detail across all elevations.

6.25 The St John's Wood Park elevation features a set of two bays, generous window proportions and strong parapet. The considered attention to the composition of the façade and intricate detailing would enhance the character of the existing street. This high quality contemporary design response responds creatively to the site and its context and is welcomed.

6.26 The gable elevations have been carefully designed: they feature patterned brickwork and the articulation of the chimney stack. This results in a softening of these flank walls and creates visual interest from the street.

6.27 Brick is the primary material, which is deemed appropriate due to its robustness and ability to stand the test of time, and particularly suitable for this residential typology. A white/buff textured handmade brick is proposed for the typical floors and main body of the building and a light/white handmade textured brick is proposed for the ground and top floor of the building. The materials proposed are of a high quality and are essential to the success of the scheme; these must be carried through to the detailed design finish of the building.

6.28 Coherence is given to the character of the conservation area by the widespread use of similar materials. Yellow stock brick and stucco dominate the wider St John's Wood area and both are used to creative effect. Here, the proposed materials respond contextually to the established palette in the area and welcomed in this proposal.

Landscaping

6.29 The character of surrounding streets is defined by largely consistent tree-lining, both on the street and within front gardens; however, whilst St John's Wood Park has a consistent tree line at the bottom and top of the street there is a lack of greenery along this part of the road, with the neighbouring neo-Georgian houses using front gardens as car parking.

6.30 The proposal seeks to introduce new trees in the garden at the front of the property, which would be a welcome addition to the street scene.

Conclusion

6.31 The proposals display a considered and creative design response to this vacant and underused site in a highly accessible and desirable location.

6.32 The design of the building shows ingenuity and sensitivity in how to intensify residential development within a town centre fringe location, through thoughtful analysis and understanding of the surrounding character.

6.33 Its interpretation of a historic and local building typology is considered to provide high quality accommodation in a characterful way that will contribute to the local streetscape.

6.34 Composition and detailing have been well considered and this proposal demonstrates a high quality example of how to positively and sensitively plan for growth in an established residential

area. Although the scheme works on its own, it has also been carefully designed to allow for optimal future development along this currently low-density part of the street.

6.35 It is further noted that the proposal was supported at DRP dated 14/09/2018 (see Section 4).

7. Impact on neighbouring amenity

7.1. The considerations on the impact on the amenity of the occupiers of neighbouring properties are as follows:

- Policy review
- Daylight/sunlight
- Outlook
- Overlooking
- Noise

Policy review

7.2. Camden Local Plan policies A1, A2, A3, A4 and A5 and CPG Amenity are relevant with regards to the impact on the amenity of residential properties in the area. Any impact from construction works is addressed in the transport section.

Daylight/sunlight

7.3. The application was supplemented by a Daylight/Sunlight Report which assesses the impact of the proposed development on neighbouring properties. The report assesses a number of properties, stretching from 58-107 Boydell Court to the north-west and 95 Avenue Road to the north-east of the site, to no.4 Middlefield to the south-west and 1-32 Sheringham to the south-east. It is considered that the report appropriately assesses all properties which are likely to be impacted in terms of daylight/sunlight as a result of the proposal.

7.4. The report demonstrates no noticeable impact in accordance with BRE guidelines to all neighbouring windows of nearby properties, with the exception of the following:

- *1 St John's Wood Park* – The impact on this property would be felt to the front rooms towards the north of the property at ground and first floor levels; the assumed rooms impacted are a kitchen and bedroom. This impact would be felt as these rooms have north (side) facing secondary windows in addition to the easterly front facing windows. The siting of these additional windows is atypical (on the side elevation), and whilst the level of reduction of daylight appears disproportionate, the overall light levels remain acceptable given the main front facing windows. It is further acknowledged that given the proximity of no. 1 (and subsequently these windows) to the site boundary, a similar impact would occur on these north facing windows should the extant permission on site be implemented (Ref: 2015/4800/P dated 11/04/2016). Indeed, any mirrored development following the existing pattern of development of these houses would result in similar impact.
- *1 Middlefield* – The impact on the property would be felt on the 2 x ground floor rear facing windows facilitating a kitchen/dining/lounge room and first floor rear facing window facilitating a bedroom, and a window to the garage/outbuilding. It is noted that both the kitchen/dining/lounge room and bedroom benefit from additional windows facilitating these rooms, and whilst the impact on these specific windows appears excessive, the overall impact on these rooms is acceptable in accordance with BRE guidance. Given that the other window at no. 1 Middlefield facilitates a garage/outbuilding, this impact is considered to be acceptable on balance.

- *4 Middlefield* – The proposed development would impact on the front ground floor fenestrations, including access door. On balance, given the level of impact and the fenestrations impacted, this is considered not result in undue harm to the residential amenities of the occupants.

7.5. The site is currently an open site so any development on it is likely to have some impact on light levels. Nonetheless, on the basis on the above, the applicant has demonstrated that the impact of the proposal would only be felt by a small number of windows on 3 neighbouring properties. The level of impact is insufficient to constitute undue harm in accordance with BRE guidance and the Development Plan. As such, the proposal is considered to be acceptable in this regard in accordance with policy A1 of the Camden Local Plan.

Outlook

7.6. The proposed development would be sited a minimum of 14m from facing neighbouring windows at no.1 Middlefield and no.7 Court Close. These views would be at an oblique angle, and whilst the proposal would serve to reduce the level of outlook from these properties to some extent, this would not represent undue harm and refusal is not warranted on this basis.

7.7. Whilst Mancroft Court would directly face the proposed development, given the 30m separation distance, this similarly is considered not to result in undue harm to neighbouring outlook.

7.8. Given the orientation of the site and surrounding context/properties, and separation distance between them, the proposed development is considered not to result in undue harm to neighbouring outlook in accordance with policy A1 of the Camden Local Plan.

Overlooking

7.9. Any proposal on this site, by reason of its nature and siting would result in a degree of overlooking to neighbouring properties. Indeed it is in a fairly dense urban environment so there is already an expectation of a degree of overlooking to and from adjacent sites. To the front, the property would face on to St John's Wood Park, and it is considered that by reason of the 30m separation distance to the adjacent Mancroft Court, the proposal would not result in unduly harmful overlooking to the front.

7.10. It is acknowledged that the rear of the property is surrounded by more private rear amenity space to the neighbouring properties. Any development in this siting would result in a degree of overlooking, and in this instance it is noted that nos.4-7 (odd) Court Close are most likely to be impacted by the development. It is considered however that by reason of the separation distance of the properties and design of the proposed development (allowing only limited external access at ground to fourth floor levels) would not result in undue harm to neighbouring occupiers in terms of loss of privacy, and so it would comply with the requirements of the development plan.

Noise

7.11. Whilst the proposal would represent an intensification of the site, given the residential nature of the property, it would be unlikely to result in excessive levels of noise in an already busy part of London. A noise condition has been attached requiring noise details of external plant/machinery, with a further condition requiring the appropriate insulation of the building envelope.

8. Trees and biodiversity

8.1 Camden Local Plan policy A3 and the relevant CPG seek to protect existing trees, secure additional trees and vegetation.

8.2 There are no trees on the site, which is currently set almost entirely to concrete hardstanding. No semi-mature/mature vegetation would be impacted as a result of the proposal.

8.3 The addition of planting to the front and rear of the property, as well as a green roof are welcome additions. The Trees and Landscaping Officers have no objections to the proposal subject to relevant conditions attached to any subsequent approval. The scheme will therefore deliver an enhancement in terms of soft landscaping and potential for biodiversity.

9. Basement impact

9.1 Policy A5 (Basements) states that the Council will only permit basement development where it is demonstrated that it will not cause harm, structurally, in amenity terms, environmentally or in conservation/design terms.

9.2 Under the proposals, a single basement would be excavated largely beneath the footprint of the proposed building, with the exception of a front lightwell which would project half the depth of the front curtilage.

9.3 The application was accompanied by a Basement Impact Assessment (BIA) which includes construction methodology, a Ground Movement Assessment and flood resistance measures. An independent audit was conducted by the Council's basement consultant (Campbell Reith) who reviewed the BIA for potential impact on land stability and local ground and surface water conditions arising from basement development in accordance with Camden's policies and technical procedures. Campbell Reith concluded that the BIA is adequate and in accordance with policy A5 and guidance contained in CPG Basements. It is further considered that the design details of the proposed basement and lightwell are in compliance with policy A5 of the Local Plan. The proposed basement is therefore considered acceptable, subject to a condition requiring details of the engineers overseeing the excavation and regarding flood resistance measures.

10. Air quality

10.1 Camden Local Plan policy CC4 is relevant with regards to air quality.

10.2 An Air Quality Assessment (AQA) has been submitted as part of this application. The proposed development is car free, and includes air-source heat pumps and so does not include any emissions to air during operation. The submitted AQA shows that Air Quality Neutrality benchmarks are therefore met. The Air Quality Officer has raised no objections to the proposal, subject to conditions attached to any subsequent approval.

11. Sustainable design and construction

11.1 Pursuant to London Plan policies 5.2, 5.3, 5.6m, 5.7, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15 and 5.17, and Camden Local Plan policies CC1, CC2, CC3, CC4 and CC5, all developments in Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

11.2CC1 of the Local Plan requires developments to demonstrate a carbon target of a minimum of 19% CO2 reduction beyond part L of Building Regulations 2013; the applicant demonstrates carbon targets of a minimum of 42.92% CO2 reduction beyond part L 2013 Building Regulations and 40% reduction through renewables as defined within the supporting statements. This has been secured via S106 subject to approval, as has the submission of a sustainability plan detailing sustainability measures for the whole development in accordance with approved statements.

11.3The proposal is a high density scheme in very close proximity to excellent public transport links (PTAL 6a). The principle of the scheme is therefore highly sustainable. The proposal has been assessed by the Council's Sustainability Officers who are satisfied with the details of the scheme (subject to conditions). On the basis of such, the proposal is considered to be generally acceptable in sustainability terms, subject to the attached conditions.

12. Flood risk and drainage

12.1Policy CC3 is relevant with regards to flood risk and drainage. The property is located outside of a flood zone.

12.2Thames Water has been consulted and has no objections subject to conditions on any subsequent approval.

13. Accessibility

13.1Of the 9 units, 1 would be fully wheelchair adaptable, which meets the 10% policy and Part M4(3) requirement.

13.2The Council's Accessibility Officer has been consulted on this application and has no objections subject to conditions on any subsequent approval regarding Part M4(2) and Part M4(3) regulations.

14. Transport

14.1The following transport considerations are covered below:

- Policy review
- Car parking
- Cycle parking
- Construction management
- Highways contribution
- Stopping up order
- Construction working group
- Conclusion

Policy review

14.2Camden Local Plan policies T1, T2, A1 and the Transport CPG are relevant with regards to transport issues.

Car Parking

14.3The proposal to redevelop this former garage/car park site into residential dwellings is supported by Policy T2.

14.4 Policy T2 also requires all new residential development in the borough to be car free; this shall be secured via S106 subject to approval.

Cycle Parking

14.5 Policy T1 of the Local Plan requires developments to sufficiently provide for the needs of cyclists. The London Plan provides guidance on minimum cycle parking standards and these are outlined in Table 6.3 of the London Plan.

14.6 The proposal would create 9 new residential flats, each of which would have 2 or more bedrooms. Policy T1 requires at least 2 covered, secure and fully enclosed cycle parking spaces to be provided for each residential unit. The proposed plans demonstrate 2no. cycle storage bays within the rear garden of the ground floor unit, which are considered to be acceptable. The remaining 16no. bays would be provided to the side of the property in a lockable store accessed via the side alley area. This is considered to be acceptable to comply with the cycle facilities section of CPG Transport. Details would be secured by condition.

Construction Management

14.7 The Council requires all construction vehicle movements to be scheduled to avoid morning and afternoon/evening peak periods. The principal contractor would also need to register the development with the Considerate Constructors Scheme, and to comply with the CLOCS standard as discussed in questions 17-19 of the Council's CMP pro-forma.

14.8 The applicant has submitted a draft Construction Management Plan (CMP) based on the Council's CMP pro-forma in support of the planning application. Whilst this provides useful information, further detail and an implementation support contribution of £7,565 would need to be secured as pre-commencement planning obligations via a S106 legal agreement subject to approval.

Highways Contribution

14.9 The public highway in the general vicinity of the site is likely to sustain damage as a direct result of the development; additionally, the existing vehicular crossover adjacent to the site would become redundant. The Council shall therefore secure a highways contribution via legal agreement subject to approval for £4,810. This allows the Council to remove the redundant vehicular crossover as well as repairing any damage to the public highway in the general vicinity of the site. A cost estimate will be confirmed by the Transport Design Team should planning permission be granted.

Stopping Up Order

14.10 The proposal would impact upon the existing pedestrian route, as such a stopping up order shall be secured via legal agreement should planning permission be granted.

Construction Working Group

14.11 A planning obligation requiring the formation of a construction working group would be secured within the S106 legal agreement subject to approval. This group would include representation parties with an interest in seeing the amenity and transport impacts of the development being mitigated. The group would need to be formed prior to any submission of a more detailed CMP prior to works commencing on site.

Conclusion

14.12 The proposals would be car free and the submitted details regarding cycle storage are considered acceptable. There are no objections on transport grounds subject to conditions and S106 agreements as outlined above.

15. Safety and security

15.1 Camden Local Plan policy C5 and CPG Design are relevant with regards to secure by design.

15.2 The Designing Out Crime Officer was consulted at pre-application stage (prior to this application being submitted) and was involved in the design process. No objections have been raised on security matters, however recommendations were made to achieve 'Secured by Design – Silver' accreditation which are noted as an informative on the decision notice).

16. Refuse and recycling

16.1 Policy CC5 and Camden Planning Guidance Design are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments.

16.2 The refuse store would be located to the rear of the property and would provide adequate space for general waste, recycling, and food waste storage facilities. The waste store would be easily accessible for residents, and would be collected from the rear of the property. Subject to approval, a condition shall ensure this storage area is ready for use prior to the first occupation of the residential units.

17. Construction employment and training

17.1 The construction phase of the development has the potential to support local employment and training opportunities in the borough in line with local plan policy E1. The applicant has agreed to enter into a legal agreement to secure an Employment, Skills and Local Supply Plan, setting out their plan for delivering the following requirements in advance of commencing on site (but subject to construction costs):

- Work to CITB benchmarks for local employment when recruiting for construction-related jobs
- 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
- Provide a specified number (to be agreed) of construction work placement opportunities of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre
- Recruit one construction apprentice per £3million of build costs and pay the council a support fee of £1,700 per apprentice (conducted through the Council's King's Cross Construction Skills Centre)
- Sign up to the Camden Local Procurement Code.

18. Planning obligations

18.1 The following contributions are required to mitigate the impact of the development upon the local area, including on local services. These heads of terms will mitigate any impact of the proposal on the infrastructure of the area.

Contribution	Amount (£)
Affordable housing cascade to provide: 2x 2-bed intermediate rent units on site; or 2x 2-bed social rent units off-site if on site provision is not possible; or payment-in-lieu if on/off site housing is not possible; and a DAHC payment in any event	£845,000

Employment and training	£1,700 (estimated)
Car free	N/A
Highways	£4,810
CMP	N/A
CMP monitoring fee	£7,564.50
Construction working group	N/A
Stopping up order	N/A
TOTAL	£859,074.5

19. Mayor of London's Crossrail CIL

19.1 The proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as it includes the addition of private residential units. Based on the Mayor's CIL charging schedule and the information provided as part of the application, the Mayoral CIL is based at £80sq. m (chargeable housing floorspace x mayoral CIL = 1,275 x £80 = £102,000). This would be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index.

20. Camden CIL

20.1 The proposal would be liable for the Camden Community Infrastructure Levy (CIL). Whilst the development proposes fewer than 10 dwellings, as more than 1,000sq. m of residential floorspace is proposed and the site is located within Zone B, £250 per sq. m of residential floorspace would be required. The Camden CIL liability is (chargeable housing floorspace x Camden CIL = 1,275 x £250 = £318,750).

21. Equalities Act 2010

21.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. The Duty requires due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. Having due regard to the Public Sector Equality Duty, it is recognised that an objection was received in part on the basis of the impact of construction on neighbouring young people with an unspecified health condition. The approval of the current application may have greater impact on these neighbours by reason of their age, one of the protected characteristics, than would otherwise be the case.

21.2 As outlined in Section 14 of this report, a Construction Working Group has been secured by S106 (subject to approval) which shall be formed prior to the submission of the CMP (and subsequent commencement of works). This will give interested parties the opportunity to input on how the amenity and transport impacts of the development would be mitigated. It is additionally acknowledged that the development would need to be constructed in compliance with guidance and regulations from Camden's Environmental Health team to reduce the impacts of construction.

21.3 Given the above, the proposal is considered to be acceptable in this instance, and would not be outweighed by the equality impact.

22. Conclusion

22.1 Residential is Camden's priority land use and the provision of residential use on site is strongly welcomed.

22.2 The proposed scale and high quality design relate to the surrounding context, with an appropriate density maximising the use of the site, an approach which was supported at DRP (dated 14/09/2018).

22.3 Two 2-bed intermediate rental units are offered in the first instance, should this be unachievable given the constraints of the site/lack of RP, an off-site social rent provision of two 2-bed units is offered, and should this be unachievable a proposed payment in lieu of affordable housing (£845,000 with DAHC) has been independently audited by BPS, and is considered to be policy compliant. A review mechanism will also be secured due to the minor shortfall justified by the viability assessment.

22.4 The impact on neighbouring properties has been demonstrated as acceptable in accordance with BRE guidelines and the scheme makes an effective use of land to deliver important contributions to market and affordable housing. The proposal is considered not to result in undue harm to neighbouring amenities.

22.5 The proposed flats would provide an acceptable level of amenity for future occupiers and present an improvement in the streetscape with a high-quality piece of architecture.

23. Recommendations

Planning Permission is recommended subject to conditions and a Section 106 Legal Agreement covering the following Heads of Terms:-

Affordable housing

- On-site provision of 2 x 2 bed intermediate rental units in the first instance
- Off-site provision of 2 x 2 bed social rent units if on site provision is unacheivable
- Affordable housing payment in lieu of £845,000 where direct housing provision is unachievable
- Review mechanism to ensure additional contributions should the scheme be more profitable than anticipated upon completion

Employment and training (construction)

- Construction employment training and support fee of £1,700 per apprentice.

Transport

- Car free development
- Highways contribution – £4,810
- Construction Management Plan (CMP) (restricting HGV movement to and from the site to with in the hours of 9:30 to 15:00 Monday to Friday during term time, 9:30 to 16:30 Monday to Friday out of term time and 8 till 13:00 Saturdays and fully restrict movement on Sundays and Bank Holidays unless agreed with the Council in advance).
- CMP monitoring – £7,564.50
- Construction Working Group including representation from any local parties with an interest in seeing the amenity and transport impacts of any development being mitigated
- Stopping up order

Energy and sustainability

- Energy provisions to be secured through Energy Efficiency & Renewable Energy Plan - a minimum 42.94% CO2 reduction beyond Part L 2013 AND 40% reduction through renewables as defined within the approved statements
- Sustainability plan - sustainability measures for the whole development in accordance with approved statements

Recommendation:

Grant conditional planning permission, subject to S106 agreement

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 29th April 2019, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2018/4763/P
Contact: Ben Farrant
Tel: 020 7974 6253
Date: 23 April 2019

Development Management
Regeneration and Planning
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Indigo
Aldermay House
10-15 Queen Street
London
EC4N 1TX

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Land adj. to 1 St John's Wood Park
London
NW8 6QS**

Proposal: Redevelopment of former garage site to form 6 storey (plus basement) residential block containing 9no. units (3 x 4 bed duplexes, 3 x 3 bed flats, 3 x 2 bed flats) (Use Class C3), with associated amenity space, cycle store, plant, and waste storage.

DECISION

Drawing Nos: (MLUK 673): A P XX 0100 R01; A P XX 0110; A P XX 0310; A P XX 0120 R01; A P XX 0320 R02; A P XX 1199; A P XX 1200 R02; A P XX 1201 R02; A P XX 1202 R01; A P XX 1203 R01; A P XX 1204 R01; A P XX 1205 R01; A P XX 1206 R01; A P XX 2200 R02; A P XX 2201 R02; A P XX 3200 R03; A P XX 3201 R03; A P XX 3800 R02; A P XX 3801 R01; A P XX 3802; A P XX 3803 R02; A P XX 4000 R02; A P XX 4001; A P XX 4110 R02; A P XX 4120 R02; A P XX 4129 R01; A P XX 4130 R02; A P XX 4131 R02; A P XX 4132 R01; A P XX 4135 R01; A P XX 4136 R01; A P XX 5000 R01; A P XX 5001 R01; A P XX 5002; A P XX 5003 R01; A P XX 5004 R01; A P XX 5005 R01; A P XX 5006 R01; A P XX 5007 R01; A P XX 5010 R01. Planning Addendum - Cycle Revision (unnumbered); Noise Assessment Statement of Conformity Ref: P18-492-L01 by Hepworth Acoustics dated 22/01/2019; Daylight and Sunlight Statement of Conformity Ref:13025 by GIA dated 21/01/2019; Townscape Assessment Addendum V2 received 24/01/2019; Planning Addendum (unnumbered) dated January 2019; Basement Impact Assessment Version 1.0 by Ridge dated 11/01/2019; Basic/Screening Air Quality Assessment Ref: WIE15480-100-R-1-2-1 by Waterman Infrastructure & Environmental Ltd dated January 2019; Design and Access Statement Ref: MLUK-673-23-01 dated October 2018; Noise Assessment Ref:P18-492-R01 by Hepworth Acoustics dated October 2018; Financial Viability Assessment by Grimshaw Consulting Ltd dated October 2018; Affordable Housing Statement by Grimshaw Consulting Ltd dated 10/10/2018; Planning Statement (unnumbered) received 15/10/2018; Daylight and Sunlight Overshadowing Assessment Ref:13025 by GIA dated 28/09/2018; Energy and Sustainability Statement Rev.A by Ridge dated 01/10/2018; Daylight and Sunlight Report Ref:13025 by GIA dated 01/10/2018; Transport Statement by Ridge dated 01/10/2018; Townscape Assessment dated October 2018.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: (MLUK 673): A P XX 0100 R01; A P XX 0110; A P XX 0310; A P XX 0120 R01; A P XX 0320 R02; A P XX 1199; A P XX 1200 R02; A P XX 1201 R02; A P XX 1202 R01; A P XX 1203 R01; A P XX 1204 R01; A P XX 1205 R01; A P XX 1206 R01; A P XX 2200 R02; A P XX 2201 R02; A P XX 3200 R03; A P XX 3201 R03; A P XX 3800 R02; A P XX 3801 R01; A P XX 3802; A P XX 3803 R02; A P XX 4000 R02; A P XX 4001; A P XX 4110 R02; A P XX 4120 R02; A P XX 4129 R01; A P XX 4130 R02; A P XX 4131 R02; A P XX 4132 R01; A P XX 4135 R01; A P XX 4136 R01; A P XX 5000 R01; A P XX 5001 R01; A P XX 5002; A P XX 5003 R01; A P XX 5004 R01; A P XX 5005 R01; A P XX 5006 R01; A P XX 5007 R01; A P XX 5010 R01. Planning Addendum - Cycle Revision (unnumbered); Noise Assessment Statement of Conformity Ref: P18-492-L01 by Hepworth Acoustics dated 22/01/2019; Daylight and Sunlight Statement of Conformity Ref:13025 by GIA dated 21/01/2019; Townscape Assessment Addendum V2 received 24/01/2019; Planning Addendum (unnumbered) dated January 2019; Basement Impact Assessment Version 1.0 by Ridge dated 11/01/2019; Basic/Screening Air Quality Assessment Ref: WIE15480-100-R-1-2-1 by Waterman Infrastructure & Environmental Ltd dated January 2019; Design and Access Statement Ref: MLUK-673-23-01 dated October 2018; Noise Assessment Ref:P18-492-R01 by Hepworth Acoustics dated October 2018; Financial Viability Assessment by Grimshaw Consulting Ltd dated October 2018; Affordable Housing Statement by Grimshaw Consulting Ltd dated 10/10/2018; Planning Statement (unnumbered) received 15/10/2018; Daylight and Sunlight Overshadowing Assessment Ref:13025 by GIA dated 28/09/2018; Energy and Sustainability Statement Rev.A by Ridge dated 01/10/2018; Daylight and Sunlight Report Ref:13025 by GIA dated 01/10/2018; Transport Statement by Ridge dated 01/10/2018; Townscape Assessment dated October 2018.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:
- a) Typical details of new railings at a scale of 1:10 with finials at 1:1, including materials, finish and method of fixing into the plinth.
 - b) Plan, elevation and section drawings, including 500mm window jambs, head and cill, of all external new window and door openings.
 - c) Samples and manufacturer's details of all new facing materials.
 - d) A sample panel of all brickwork shall be erected on-site and approved by the Council before the relevant parts of the work are commenced and the development shall be carried out in accordance with the approval given. The panel must be constructed at 1:1 scale and be no less than 1m² in size demonstrate the proposed colour, texture, mortar and bond of the brickwork and include a sample of the curved special bricks.

The relevant part of the works shall then be carried in accordance with the approved details

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policy D1.

- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Camden Local Plan policies D1.

- 5 No flat roofs within the development shall be used as terraces unless marked as such on the approved plans, without the prior express approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the Camden Local Plan.

- 6 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1 and A5 of the London Borough of Camden Local Plan 2017.

- 7 The basement shall be constructed in accordance with the details, recommendations, methodologies and mitigation measures in the Basement Impact Assessment Version 1.0 by Ridge dated 11/01/2019, and its supporting documents hereby approved.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1 and A5 of the London Borough of Camden Local Plan 2017.

- 8 The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Camden Local Plan policy CC3.

- 9 Prior to commencement of above-ground development, full details of the mechanical ventilation system including air inlet locations shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from busy roads and as close to roof level as possible, to protect internal air quality. The development shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To protect the amenity of residents in accordance with London Borough of Camden Local Plan Policy CC4 and London Plan policy 7.14.

- 10 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the construction phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the construction phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies G1, A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

- 11 Internal noise levels in habitable rooms shall comply with BS8233:2014 guidance criteria for indoor ambient noise levels in residential dwellings when they are unoccupied and Table B, Appendix 3: Noise Thresholds of the Local Plan.

Reason: To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental noises sources in accordance with the requirements of policies G1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

- 12 Prior to the installation of any items of fixed plant associated with the operation of the development, a noise report shall be submitted to and approved in writing by the local planning authority.

The noise report shall demonstrate that cumulative sound levels from external building services and fixed plant are 10dB or more below the lowest background sound level (15dB if tonal components are present) at the nearest sensitive receptor at any time. The report should reference the proposed noise limits included in the planning application noise report, Table 11: Plant Noise Limits at the Nearest Noise Sensitive Premises.

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policy A4 of the Camden Local Plan 2017.

- 13 Prior to above ground works, the refuse and recycling storage areas shall be completed and made available for occupants of that plot.

The development shall not be implemented other than in accordance with such measures as approved. All such measures shall be in place prior to the first occupation of any residential units and shall be retained thereafter.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of Camden Local Plan policy CC5.

- 14 Prior to first occupation, the following bicycle parking shall be provided:

- secure and covered parking for 18 resident's bicycles

All such facilities shall thereafter be retained and accessible in perpetuity.

Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with Camden Local Plan policies T1 and T2, the London Plan and CPG Transport.

- 15 No above ground works shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed tree planting, earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5 (if including basement or lightwell) D1 of the London Borough of Camden Local Plan 2017.

- 16 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, & D1 of the London Borough of Camden Local Plan 2017.

- 17 Prior to the commencement of above ground works, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance

- ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, and A3 of the London Borough of Camden Local Plan 2017.

- 18 The first floor northerly unit (3b, 4p) indicated as such on the plan numbers hereby approved, shall be designed and constructed in accordance with Building Regulations Part M4 (3), with all other units being designed and constructed in accordance with Building Regulations Part M4 (2): evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy C6 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 3 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 You are advised that the Transport Strategy Team should be consulted regarding the construction of the crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. tel: 020-7974 5543 for further advice and information.
- 6 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
- 7 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

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DECISION